



Original: English

No.: ICC-01/09-02/11
Date: 24 January 2014

TRIAL CHAMBER V(B)

Before: Judge Kuniko Ozaki, Presiding Judge
Judge Robert Fremr
Judge Chile Eboe-Osuji

SITUATION IN THE REPUBLIC OF KENYA

***IN THE CASE OF
THE PROSECUTOR V. UHURU MUIGAI KENYATTA***

Public with confidential Annex A

Prosecution communication of the disclosure of evidence

Source: The Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

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**Victims Participation and Reparations
Section**

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Other

1. The Prosecution submits its communication of the disclosure of incriminatory evidence pursuant to Articles 61(3)(b), 64(3)(c) and 67(1)(a) and (b), and of material falling within Rule 77.
2. On 22 January 2014, the Prosecution disclosed and re-disclosed a total of 77 items, listed in Annex A. Of these items, 41 are related to Witness 12 and include: (i) combined transcripts and translations of audio recordings; (ii) audio recordings of telephone conversations; (iii) a signed waiver of rights; and (iv) handwritten notes taken during an interview.
3. The Prosecution also disclosed items related to its trial witnesses. These include: (i) transcripts of a recent interview with Witness 152 and related documents; (ii) transcript of a screening interview with Witness 548 and related documents; (iii) a missing page from a previously disclosed document, as well as English translations of documents written by Witness 464; and (iv) a document related to Witness 11.
4. Finally, the Prosecution disclosed various correspondences and attachments, and a clarification made by a witness in the *Ruto & Sang* case, whose statement was previously disclosed to the Defence.¹



Fatou Bensouda,
Prosecutor

Dated this 24th day of January, 2014
At The Hague, The Netherlands

¹ The witness' statement (KEN-OTP-0077-0606) was disclosed on 9 January 2013, in Trial PEXO package 20.