



Original: English

No.: ICC-01/09-02/11
Date: 4 February 2014

TRIAL CHAMBER V(B)

Before: Judge Kuniko Ozaki, Presiding Judge
Judge Robert Fremr
Judge Geoffrey Henderson

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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Legal Representatives of Victims

Fergal Gaynor

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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Defence Support Section

Victims and Witnesses Unit

Patrick Craig

Detention Section

**Victims Participation and Reparations
Section**

Fiona McKay

Other

1. The Prosecution submits its communication of the disclosure of potentially exculpatory evidence pursuant to Article 67(2) of the Rome Statute; and of material falling within Rule 77 of the Rules of Procedure and Evidence.
2. On 3 February 2014, the Prosecution disclosed and re-disclosed a total of five items, listed in Annex A. Of these items, two related to Witnesses 12 and 219 were disclosed at the Defence's request.
3. The Prosecution also disclosed three items related to Witness 428.
4. Finally and at the Defence's request, the Prosecution provided the "Related to Witness" metadata field for two previously items disclosed.



Fatou Bensouda,
Prosecutor

Dated this 4th day of February, 2014
At The Hague, The Netherlands