

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11

Date: 12 June 2014

TRIAL CHAMBER V(A)

Before: Judge Chile Eboe-Osuji, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Robert Fremr

SITUATION IN THE REPUBLIC OF KENYA

***IN THE CASE OF
THE PROSECUTOR v. WILLIAM SAMOEI RUTO and JOSHUA ARAP SANG***

Public

**Prosecution's submission on level of confidentiality of documents admitted
pursuant to Decision ICC-01/09-01/11-1353**

Source: 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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Mr. James Stewart
Mr. Anton Steynberg

Counsel for the Defence

For William Samoei Ruto:

Mr. Karim Khan
Mr. David Hooper
Ms. Shyamala Alagendra

For Joshua Arap Sang:

Mr. Joseph Kipchumba Kigen-Katwa
Ms. Caroline Buisman

Legal Representatives of Victims

Mr. Wilfred Nderitu

Legal Representatives of Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims

Ms. Paolina Massidda

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States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Herman von Hebel

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

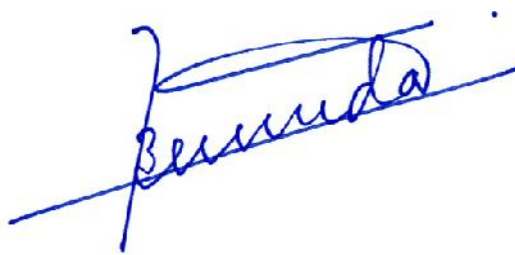
Ms. Natacha Schauder

Detention Section

Victims Participation and Reparations Section

Other

1. On 10 June 2014, Trial Chamber V(A) ("Chamber") issued the Decision on the Prosecution's Request for Admission of Documentary Evidence ("Decision"),¹ wherein it admitted into evidence certain materials and directed "parties to make submissions, if any, on the appropriate level of confidentiality for each of the items to be admitted pursuant to this Decision within two days of the date of the Decision."²
2. In compliance with the Chamber's direction, the Prosecution hereby confirms that all items to be admitted pursuant to the Decision should retain the confidentiality classification assigned in E-Court, save the one identified in the "Defence submissions on level of confidentiality of documents admitted pursuant to Decision ICC-01/09-01/11-1353".³ The Prosecution does not oppose the Defence request to re-classify the CIPEV official press release KEN-OTP-0003-0419 as "Public."
3. As for the remaining items admitted by the Decision, these are confidential in nature and contain information, *inter alia*, of a private and/or security-related nature that the Prosecution submits ought not to be disseminated to the public.



Fatou Bensouda, Prosecutor

Dated this 12th day of June 2014

At The Hague, The Netherlands

¹ ICC-01/09-01/11-1353.

² *Ibid.*, p.44.

³ ICC-01/09-01/11-1360.