

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11
Date: 20 October 2014

TRIAL CHAMBER V(A)

Before: Judge Chile Eboe-Osuji, Presiding
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

Ruto Defence response to the “Prosecution’s request for materials related to witness P-0637 to be accepted into evidence and assigned evidence (EVD) numbers”

Sources: Defence for Mr. William Samoei Ruto

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

The Office of the Prosecutor

Ms. Fatou Bensouda
Mr. James Stewart
Mr. Anton Steynberg

Counsel for William Samoei Ruto

Mr. Karim A. A. Khan QC
Mr. David Hooper QC
Mr. Essa Faal
Dato' Shyamala Alagendra
Ms. Leigh Lawrie

Counsel for Joshua Arap Sang

Mr. Joseph Kipchumba Kigen-Katwa
Ms. Caroline Buisman

Legal Representatives of the Victims

Mr. Wilfred Nderitu

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms. Paolina Massida

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Herman von Hebel

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The defence for Mr. William Samoei Ruto ("Defence") does not oppose the *Prosecution's request for materials related to witness P-0637 to be accepted into evidence and assigned evidence (EVD) numbers.*¹
2. The Defence confirms its previous stated position that materials related to the testimony of P-0637, namely the statement, transcripts and audio records of the witness' interviews with the Prosecution (for the limited purpose of impeachment), the witness' notebook and its translation, and four sketches that the witness prepared, may be admitted into evidence as Prosecution exhibits and assigned evidence (EVD) numbers.²

Respectfully submitted,



Karim A.A. Khan QC
Lead Counsel for Mr. William Samoei Ruto

Dated this 20th Day of October 2014
At The Hague, Netherlands

¹ ICC-01/09-01/11-1599, 13 October 2014.

² ICC-01/09-01/11-T-149-CONF-ENG ET 02-10-2014, p. 9, lines 4-20.