

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/20
Date: 25 August 2021

TRIAL CHAMBER III

Before: Judge Miatta Maria Samba

SITUATION IN THE REPUBLIC OF KENYA

IN THE CASE OF *THE PROSECUTOR v. PAUL GICHERU*

Public

**Prosecution's Submissions on the Defence's Request
for Information from Judge Miatta Maria Samba concerning Her Employment
with the Office of the Prosecutor of the International Criminal Court**

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

Mr James Stewart

Mr Anton Steynberg

Counsel for the Defence

Mr Michael G. Karnavas

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. SUBMISSIONS

1. Further to the Trial Chamber III's¹ direction,² the Prosecution confirms that at this stage, it has no observations or comments to make in relation to the Defence's Request for Information from Judge Miatta Maria Samba³ concerning Her Employment with the Office of the Prosecutor⁴ of the International Criminal Court.⁵
2. The Prosecution confirms that all information available to the OTP concerning the Single Judge's previous employment with the OTP was provided to the Defence by way of formal communication on 29 July 2021. That communication was subsequently annexed to the Defence's Request.⁶ Since then, the Prosecution has not identified any further information of relevance to the matter at hand.
3. This is all the Prosecution has to inform the Chamber at this specific stage. Should the Defence decide to make further submissions or seek any relief in relation to this matter, the Prosecution will respond accordingly within any deadline set by the Chamber.



James Stewart, Deputy Prosecutor

Dated this 25th day of August 2021
At The Hague, The Netherlands

¹ "Chamber".

² E-mail communications from Trial Chamber III to the Parties dated 17 August 2021 (14:06) and 20 August 2021 (08:22) respectively.

³ "Single Judge".

⁴ "OTP" or "Prosecution".

⁵ ICC-01/09-01/20-163-Conf and –Red ("Defence Request").

⁶ ICC-01/09-01/20-163-Conf-AnxA, pp. 5-7.