

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/20
Date: 23 September 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

With Confidential Annex A

Prosecution's Twelfth Communication of the Disclosure of Evidence

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

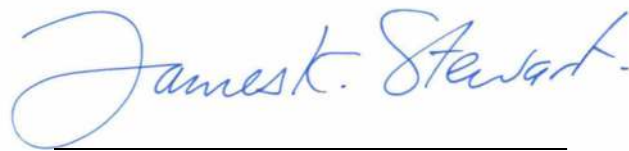
Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. In keeping with prior practice to keep the Pre-Trial Chamber A informed of the execution of its disclosure obligations,¹ and in accordance with the agreement between the Office of the Prosecutor (“Prosecution”) and the Defence to comply with the E-court Protocol (ICC-01/09-01/20-67-AnxI) and the Protocol on Handling of Confidential Information [...] (ICC-01/09-01/20-67-AnxII), until and unless these protocols are adopted or modified by the Trial Chamber III,² the Prosecution files in the record herewith its communication to the Defence of incriminating and rule 77 material.
2. On 22 September 2021, the Prosecution disclosed 435 items, as detailed in Confidential Annex A.³



James Stewart, Deputy Prosecutor

Dated this 23rd day of September 2021
At The Hague, The Netherlands

¹ In accordance with the Pre-Trial Chamber A “Decision Setting the Regime for Evidence Disclosure and Other Related Matters” (ICC-01/09-01/20-67).

² Informed to the Trial Chamber III by email communication on 27 August 2021 at 17:15hs.

³ Annex A is classified as Confidential as it contains information which could identify witnesses if disclosed to the public.