

Annex 1

Public

[REDACTED]

From: Trial Chamber III Communications
Sent: 28 March 2022 15:06
To: OTP KEN art70 [REDACTED]; D32 Gicheru Defence team; Associate Legal Officer-Court Officer
Cc: Trial Chamber III Communications
Subject: Decision on Submitted Materials for P-0738
Attachments: Gicheru - P-0738 submission of evidence (OTP)

[REDACTED]

Dear Counsel and Registry,

The Prosecution requests to recognise 87 items as formally submitted (Email from the Prosecution, 3 March 2022, at 17:39).

The Chamber notes that all items submitted by the Prosecution are unopposed.

Further, the items constituting prior recorded testimony fulfil all the requirements of Rule 68(3) of the Rules and their introduction has been authorised by the Chamber (*see* ICC-01/09-01/20-223). The remainder of the items put forward for submission have been discussed in one form or another during the witness's testimony.

In summary, for P-0738, the Chamber recognises all items requested by the Prosecution as formally submitted. The Registry is directed to proceed in accordance with paragraph 17(iv) of the Directions on the Conduct of the Proceedings, 7 October 2021, ICC-01/09-01/20-189.

Kind regards,
Trial Chamber III

From: [REDACTED]
Sent: 03 March 2022 17:39
To: Trial Chamber III Communications; Trial Chamber III Legal Officers; D32 Gicheru Defence team; [REDACTED] Associate Legal Officer-Court Officer
Cc: OTP KEN art70 [REDACTED]
Subject: Gicheru - P-0738 submission of evidence (OTP)

Dear Trial Chamber III,
 Dear Counsel,

Please find below a list of items for witness P-0738 the Prosecution seeks to formally submit into evidence as per paragraph 17 (i) of the Directions on the Conduct of the Proceedings (ICC-01/09-01/20-189). These items are also included in the list of material for P-0738 the Prosecution provided to the Chamber and the Defence on Friday 25 February 2022.

Further, the Prosecution seeks to formally submit into evidence P-0738's signed list of material. This item was disclosed today and should be accessible in eCourt as soon as possible.

Items of evidence for submission: P-0738

1. KEN-OTP-0160-1617 (signed list of material)
2. KEN-OTP-0103-2693-R01
3. KEN-OTP-0103-2699
4. KEN-OTP-0111-0188-R01
5. KEN-OTP-0111-0196
6. KEN-OTP-0111-0197
7. KEN-OTP-0111-0198
8. KEN-OTP-0111-0199
9. KEN-OTP-0111-0201-R01
10. KEN-OTP-0111-0210-R01
11. KEN-OTP-0111-0211-R01
12. KEN-OTP-0111-0212-R01
13. KEN-OTP-0118-0011-R01
14. KEN-OTP-0118-0037
15. KEN-OTP-0118-0038
16. KEN-OTP-0118-0039
17. KEN-OTP-0118-0040
18. KEN-OTP-0118-0041
19. KEN-OTP-0118-0042
20. KEN-OTP-0118-0043
21. KEN-OTP-0118-0044
22. KEN-OTP-0118-0045
23. KEN-OTP-0118-0046
24. KEN-OTP-0118-0047
25. KEN-OTP-0118-0048
26. KEN-OTP-0118-0049
27. KEN-OTP-0118-0050
28. KEN-OTP-0118-0051

29. KEN-OTP-0118-0052
30. KEN-OTP-0118-0053
31. KEN-OTP-0118-0054
32. KEN-OTP-0118-0055
33. KEN-OTP-0118-0056
34. KEN-OTP-0111-0554 (audio – all tracks)
35. KEN-OTP-0116-0268 (audio – all tracks)
36. KEN-OTP-0115-0002 (audio – all tracks)
37. KEN-OTP-0118-0135 (audio – all tracks)
38. KEN-OTP-0160-0905
39. KEN-OTP-0160-0964
40. KEN-OTP-0160-0908
41. KEN-OTP-0160-0969
42. KEN-OTP-0160-0913
43. KEN-OTP-0160-0975
44. KEN-OTP-0160-0915
45. KEN-OTP-0160-0978
46. KEN-OTP-0160-0918
47. KEN-OTP-0160-0983
48. KEN-OTP-0114-0258
49. KEN-OTP-0114-0282
50. KEN-OTP-0160-0927
51. KEN-OTP-0160-0993
52. KEN-OTP-0160-0934
53. KEN-OTP-0160-1002
54. KEN-OTP-0160-0930
55. KEN-OTP-0160-0997
56. KEN-OTP-0118-0092
57. KEN-OTP-0114-0296
58. KEN-OTP-0118-0099
59. KEN-OTP-0114-0400
60. KEN-OTP-0118-0102
61. KEN-OTP-0114-0403
62. KEN-OTP-0118-0105
63. KEN-OTP-0114-0413
64. KEN-OTP-0118-0109
65. KEN-OTP-0114-0419
66. KEN-OTP-0160-0940
67. KEN-OTP-0160-1008
68. KEN-OTP-0118-0118
69. KEN-OTP-0114-0429
70. KEN-OTP-0160-0944
71. KEN-OTP-0160-1013
72. KEN-OTP-0160-0947
73. KEN-OTP-0160-1017
74. KEN-OTP-0160-0950
75. KEN-OTP-0160-1021
76. KEN-OTP-0160-0959
77. KEN-OTP-0160-1025
78. KEN-OTP-0160-0789
79. KEN-OTP-0160-0857

- 80. KEN-OTP-0118-0057
- 81. KEN-OTP-0118-0075
- 82. KEN-OTP-0118-0080
- 83. KEN-OTP-0118-0084
- 84. KEN-OTP-0118-0087
- 85. KEN-OTP-0118-0113
- 86. KEN-OTP-0118-0123
- 87. KEN-OTP-0118-0127

Best regards,



On behalf of the Prosecution