



Original: **English**

No.: **ICC-01/09-01/11**
Date: **24 October 2013**

TRIAL CHAMBER V(A)

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

SITUATION IN THE REPUBLIC OF KENYA

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

PUBLIC

With Confidential *ex parte*, Prosecution and VWU only Annex 1

Prosecution's submission of its further updated List 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

Ms. Fatou Bensouda

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 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 Massidda

**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

Mr. Patrick Craig

Detention Section

**Victims Participation and Reparations
Section**

Others

1. On 9 September 2013, the Prosecution applied to include additional items on its List of Evidence.¹ After receiving submissions from the Defence² and further submissions from the Prosecution,³ Trial Chamber V(A) (“Chamber”) permitted the inclusion of 104 extra items on the Prosecution’s List of Evidence.⁴ The Chamber ordered, *inter alia*, that the Prosecution file the updated List of Evidence into the record of the case within seven days of notification of the Decision, which was 17 October.

2. In compliance with the Chamber’s order, the Prosecution hereby files as Annex 1 a confidential *ex parte*, Prosecution and VWU only version of its updated List of Evidence. The Prosecution will simultaneously file a confidential redacted version of Annex 1.

3. Pursuant to Regulation 23bis(1) of the Regulations of the Court, the Prosecution files Annex 1 as “confidential, *ex parte*, Prosecution and VWU only” as it contains confidential personal information relating to witnesses.



Fatou Bensouda, Prosecutor

Dated this 24th day of October 2013

At The Hague, the Netherlands

¹ ICC-01/09-01/11-915-Conf.

² ICC-01/09-01/11-944-Conf and ICC-01/09-01/11-948-Conf.

³ ICC-01/09-01/11-1002-Conf.

⁴ ICC-01/09-01/11-1045.