

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09-01/11  
Date: 10 October 2014

**TRIAL CHAMBER V(A)**

**Before:** Judge Chile Eboe-Osuji, Presiding Judge  
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 document  
With Confidential Annex A**

**Prosecution's request for materials related to witness P-0637 to be accepted into  
evidence and assigned evidence (EVD) numbers**

**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 Victims**

Mr Wilfred Nderitu

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for 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**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

**Deputy Registrar**

**Victims and Witnesses Unit**

Mr Nigel Verrill

**Detention Section**

**Victims Participation and Reparations Section**

**Other**

1. Witness P-0637 testified from 29 September to 6 October 2014.<sup>1</sup> In order to save time and complete the witness' evidence without undue delay, the Office of the Prosecutor ("Prosecution") proposed to tender the materials it used during its examination of the witness by way of a later filing, rather than reading each item into the record in the witness' presence.<sup>2</sup> Trial Chamber V(a) endorsed this procedure.<sup>3</sup>
2. The relevant materials are listed in confidential Annex A. In accordance with Regulation 23*bis* of the Regulations of the Court, the Prosecution requests that the annex be classified as "Confidential" since it contains references to confidential evidentiary material.
3. The Defence did not object to the admission into evidence of any of these items.<sup>4</sup>
4. The Prosecution accordingly requests that the materials listed in Annex A be accepted into evidence as Prosecution exhibits and assigned evidence (EVD) numbers.



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Fatou Bensouda, Prosecutor

Dated this 10<sup>th</sup> day of October 2014  
At The Hague, The Netherlands

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<sup>1</sup> ICC-01/09-01/11-T-146-ENG, ICC-01/09-01/11-T-147-ENG, ICC-01/09-01/11-T-148-ENG, ICC-01/09-01/11-T-149-ENG, ICC-01/09-01/11-T-150-ENG.

<sup>2</sup> ICC-01/09-01/11-T-149-ENG, p.10, ll.1-5.

<sup>3</sup> ICC-01/09-01/11-T-149-ENG, p.10, ll.6-11, p.28.ll.21-23.

<sup>4</sup> In respect of the statement, transcripts and audio recordings of the witness' interview (items 1-29, 37-64), for the limited purposes of impeachment: ICC-01/09-01/11-T-149-ENG, p.9, ll.4-23. For the notebook and its translation (items 35, 36): ICC-01/09-01/11-T-149-ENG, p.15, ll.18-25. For the sketches (items 30-34): ICC-01/09-01/11-T-149-ENG, p.28, ll.1-8.