

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09-01/20  
Date: 10 December 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 23rd 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

Ms Suzana Tomanović

**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**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

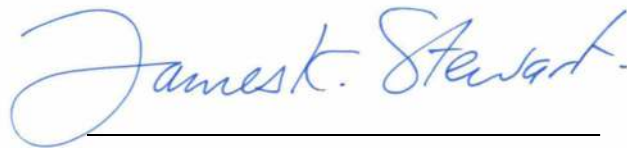
**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

1. In keeping with prior practice to keep the Trial Chamber III<sup>1</sup> informed of the execution of its disclosure obligations,<sup>2</sup> the Prosecution files in the record herewith its communication to the Defence of incriminating material.
2. On 10 December 2021, the Prosecution disclosed 6 items as incriminating material, as detailed in Confidential Annex A.<sup>3</sup> The items contained in this package are the subject of the Prosecution's supplementary request under regulation 35 to add updated transcriptions and translations to its List of Evidence and to amend its rule 68(2)(d) request related to Witness P-0495, filed today.<sup>4</sup>



**James Stewart, Deputy Prosecutor**

Dated this 10<sup>th</sup> day of December 2021  
At The Hague, The Netherlands

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<sup>1</sup> "Chamber."

<sup>2</sup> ICC-01/09-01/20-T-048-CONF-ENG, p.4, ln. 12-14.

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

<sup>4</sup> ICC-01/09-01/20-244.