

# **ANNEX TO CORRIGENDUM**

The following changes have been made to made to ICC-01/09-01/11-613, filed by the defence on 20 February 2013, for purposes of correction and completion:

1. Added footnote 10 to clarify which six witnesses had their identities disclosed to the defence this month:

“The identities of witnesses P-15, P-16, P-336, P-356, P-397 and P-516 have been disclosed in February.”

2. Corrected the wording and grammar in para. 9 from “failure of the prosecution to have done presents” to “failure of the prosecution to have done so places”.
3. Corrected the grammar in para. 14 from “the defence also require” to “the defence also requires”.
4. Corrected and completed the list of pexo and Rule 77 screening notes which have previously been disclosed to the defence in footnote 18 (now footnote 19), including the reference to the related witnesses, so that it now reads:

“Summaries of Pexo Material in screening notes (P-469 : KEN-OTP-0088-0476 ; P-023 : KEN-OTP-0088-0481 ; P-439 : KEN-OTP-0088-0489 ; P-166 : KEN-OTP-0090-0033 ; P-111 : KEN-OTP-0090-1080 ; P-442 : KEN-OTP-0090-1116 ; P-487 : KEN-OTP-0090-1116 ; P-508 : KEN-OTP-0090-1120 ; P-040 : KEN-OTP-0093-0219 ; P-unknown : KEN-OTP-0052-2217 ; P-0040 : KEN-OTP-0091-0942) and Summaries of R77 Material in screening notes (P-17 : KEN-OTP-0086-0050 ; P-413 : KEN-OTP-0088-0478 ; P-456 : KEN-OTP-0088-0483 ; P-436 : 0088-0485 ; P-440 : 0088-0487)”.

5. Deleted this sentence from para. 15:

“Furthermore, the prosecution has not disclosed items on its List of Evidence that are associated with witnesses P-336 and P-356, despite having disclosed the identity of those witnesses to the defence on 11 February 2013.”

The sentence was accidentally duplicated, and belongs instead in para. 16 as written.

6. Deleted the reference to evidence KEN-OTP-0073-0313 from footnote 25 (now footnote 24) as the defence has double checked its records and realized that KEN-OTP-0073-0313 was in fact disclosed on 11 February 2013 in unredacted form.
7. Clarified in para. 16 that the defence’s query and the prosecution’s response related to witness P-336 and not both witnesses P-336 and P-356.