

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09-01/15

Date: 28 July 2020

**PRE - TRIAL CHAMBER II**

**Before:** Judge Antoine Kesia-Mbe Mindua, Presiding Judge  
Judge Tomoko Akane  
Judge Rosario Salvatore Aitala

**SITUATION IN THE REPUBLIC OF KENYA**

**IN THE CASE OF THE PROSECUTOR *v.* PAUL GICHERU AND PHILIP  
KIPKOECH BETT**

**UNDER SEAL**

***EX PARTE* only available to the Office of the Prosecutor  
With UNDER SEAL *EX PARTE* ANNEX A  
only available to the Office of the Prosecutor**

**Prosecution's filing of additional correspondence from Paul Gicheru**

**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**

**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. As explained in the “Prosecution’s additional submissions in compliance with order ICC-01/09-01/15-23-US-Exp”,<sup>1</sup> the Prosecution requested Mr Paul Gicheru<sup>2</sup> to provide additional details pertaining to the issues raised in his letter addressed of 6 March 2020, addressed to the Prosecutor.<sup>3</sup>
2. On 23 July 2020, the Prosecution received by email copies of further correspondence from Gicheru providing the additional information requested. The Prosecution files the correspondence herewith as Annex A.
3. The Prosecution will continue to engage with Gicheru with a view to securing his voluntary surrender/appearance, in consultation and cooperation with the Registry.
4. Pursuant to regulation 23bis(2) of the Regulations of the Court, this response is filed as under seal, *ex parte*, only available to the Office of the Prosecutor, since it relates to previous filings of a similar classification.



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**Fatou Bensouda, Prosecutor**

Dated this 28<sup>th</sup> day of July 2020  
At The Hague, The Netherlands

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<sup>1</sup> ICC-01/09-01/15-24-US-Exp, para. 13.

<sup>2</sup> “Gicheru”.

<sup>3</sup> ICC-01/09-01/15-21-US-Exp-Anx.