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Pursuant to Pre-Trial Chamber A's Decision IC	CC-01/09-01/15-62 dated 11-12-2020, this document is transferred in case file ICC-01/09-01/20: The
Prosecutor vs. Paul Gicheru	ICC-01/09-01/20-26-Conf 05-01-2021 1/3 EK P
Pursuant to Pre-Trial Chamber A's Decision IC	CC-01/09-01/20-75-Conf dated 31 December 2020, this document is reclassified as Confidential.
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and the second	Pursuant to TCIII's instruction dated 05.05.2023, this document is reclassified as Public
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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 INTHE REPUBLIC OF KENYA

IN THE CASE OFTHE 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

17-12-2020 2/3 SL PT 6-US-Exp 28-07-2020 2/3 NM PT -US-Exp Pursuant to Pre-Trial Chamber A's Decision ICC-01/09-01/15-62 dated 11-12-2020, this document is transferred in case file ICC-01/09-01/20: The Prosecutor vs. Paul Gicheru ICC-01/09-01/20-26-Conf 05-01-2021 2/3 EK PT Pursuant to Pre-Trial Chamber A's Decision ICC-01/09-01/20-75-Conf dated 31 December 2020, this document is reclassified as Confidential. ICC-01/09-01/20-26 09-05-2023 2/3 PT Pursuant to TCIII's instruction dated 05.05.2023, this document is reclassified as Public Document to be notified in accordance with regulation 31 of the Regulations of the Court to: **Counsel for the Defence** The Office of the Prosecutor Ms Fatou Bensouda Mr James Stewart Mr Anton Steynberg Legal Representatives of the Victims Legal Representatives of the Applicants **Unrepresented Victims Unrepresented Applicants** (Participation/Reparation) The Office of Public Counsel for The Office of Public Counsel for the Victims Defence **Amicus Curiae** States' Representatives REGISTRY Registrar **Counsel Support Section** Mr Peter Lewis Victims and Witnesses Unit **Detention Section**

Victims Participation and Reparations Other Section

- As explained in the "Prosecution's additional submissions in compliance with order ICC-01/09-01/15-23-US-Exp",¹ the Prosecution requested Mr Paul Gicheru² to provide additional details pertaining to the issues raised in his letter addressed of 6 March 2020, addressed to the Prosecutor.³
- 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 23*bis*(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.

Bernda

Fatou Bensouda, Prosecutor

Dated this 28th day of July 2020 At The Hague, The Netherlands

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

² "Gicheru".

³ ICC-01/09-01/15-21-US-Exp-Anx.