

Pursuant to TCIII's instruction dated 11.11.2022, this document is reclassified as Public.

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

N° : ICC-01/09-01/20  
Date : 13 October 2022

**TRIAL CHAMBER III**

**Before: Judge Miatta Maria Samba**

**SITUATION IN THE REPUBLIC OF KENYA**

**IN THE CASE OF  
*THE PROSECUTOR v. PAUL GICHERU***

**Confidential**

**With Annex I, confidential Ex Parte only available to the Registry and confidential  
Annex II**

**Transmission of a note verbale from the authorities of the Republic of Kenya**

**Source : The Registry**

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Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

**The Office of the Prosecutor**

Ms Nazhat Shameen Khan  
Mr Anton Steynberg

**Counsel for the Defence**

Mr Michael G. Karnavas  
Ms Suzana Tomanović

**Legal Representatives of Victims**

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparations**

**The Office of Public Counsel for  
Victims**

**The Office of Public Counsel for the  
Defence**

**State 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**

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## **I. Introduction**

1. The Registry hereby transmits the Note Verbale received from the authorities of the Republic of Kenya ("Kenya") on 11 October 2022<sup>1</sup> in response to the cooperation request sent by the Registry in relation to the confirmation of the death of Mr Paul Gicheru ("Mr Gicheru")<sup>2</sup>.

## **II. Procedural history**

2. On 26 September 2022, the media started to report the passing of Mr Gicheru in Kenya.
3. On 27 September 2022, the Registry transmitted a cooperation request to Kenya, requesting them to confirm Mr Gicheru's death and provide a death certificate for onward transmission to the Chamber.

## **III. Classification**

4. In accordance with regulation 23*bis*(1) of the Regulations of the Court, the present submission is classified as confidential as it refers to information provided by the Kenyan authorities, for which the classification is pending. Annex I is classified as confidential Ex Parte only available to the Registry, pending confirmation of the classification of the document by the Kenyan authorities especially with respect to the burial permit. Annex II is classified as confidential as it concerns an official communication with a State.

## **IV. Submissions**

5. The Registry hereby transmits, as Annex I, the information submitted by the authorities of Kenya.

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<sup>1</sup> Annex I

<sup>2</sup> Annex II

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6. In this note verbale, the authorities of Kenya confirmed the death of Mr Gicheru and transmitted a burial permit.



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Marc Dubuisson, Director of the Division of Judicial Services  
on behalf of Peter Lewis, Registrar

Dated this 13 October 2022  
At The Hague, the Netherlands