

Annex 16

Public

From: Trial Chamber III Communications
Sent: 10 December 2021 14:54
To: OTP KEN art70 [REDACTED]; D32 Gicheru Defence team
Cc: Trial Chamber III Communications
Subject: Order in respect of ICC-01/09-01/20-244

Follow Up Flag: Follow up
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Dear Parties,

The Chamber has taken note 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”(ICC-01/09-01/20-244).

First, the Chamber is concerned about the late filing of this request. The Chamber observes that this is not the first time it has noted the lack of diligence on the part of the Prosecution. The Chamber expects the Prosecution to act with more attentiveness going forward.

Second, the Chamber notes that the requested material appears to have not yet been uploaded to eCourt, thus the Chamber, and by extension the Defence, is unable to review the material. The Prosecution is ordered to upload the material as soon as possible and no later than the end of the day (10/12/2021).

The Defence is invited to respond to the supplementary request by 4pm on Tuesday 14th December 2021. Further, the Defence is ordered to inform the Chamber, by email, as soon as possible if it does not intend to make substantive submissions.

Kind Regards,
Trial Chamber III