

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09
Date: 19 November 2010

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul
Judge Cuno Tarfusser

SITUATION IN THE REPUBLIC OF KENYA

Under Seal

**Notification to Pre-Trial Chamber II and
Request for Extension of Page Limit**

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

Luis Moreno-Ocampo

Fatou Bensouda

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

Registrar

Ms Silvana Arbia

Deputy Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

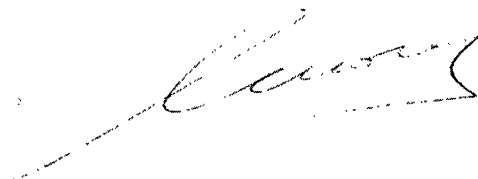
**Victims Participation and Reparations
Section**

Other

1. The Prosecutor respectfully submits this notification regarding its investigations into the crimes allegedly committed in the Nairobi, Nyanza and Rift Valley Provinces, in the Republic of Kenya. The Prosecution anticipates that it will file, during the second week of December 2010, two Article 58 Applications ("Applications"). The Applications will be filed under seal, for reasons set forth in this Application.
2. The Prosecution also respectfully requests, with respect to each Application, an extension of the page limit to 80 pages, pursuant to Regulation 37(2) of the Regulations of the Court. The Prosecution assures the Chamber, however, that it will make all efforts to file succinct documents, shorter than the 80 pages requested herein. The extension of the page limit for each Application will permit the Prosecution to set forth in sufficient detail the relevant facts and circumstances of the crimes, along with a description of the evidence.
 - a. Application 1: The Prosecution will present its evidence on crimes against humanity that occurred during December 2007 to January 2008, seeking summonses to appear for up to three persons. The evidence includes multiple meetings, rallies and other events that occurred in the year preceding the post-election violence.
 - b. Application 2: The Prosecution will present its evidence on crimes against humanity committed by senior government officials during the period from December 2007 to March 2008. This application will also seek summonses to appear for up to three persons.
3. This Application is filed under seal because public disclosure at this time may jeopardize the investigation. The Prosecution will seek to unseal this Application as soon as it is feasible to do so.

Relief sought

4. The Prosecution requests the Pre-Trial Chamber to grant an extension of the page limit for both Article 58 Applications to 80 pages each, pursuant to Regulation 37(2) of the Regulations of the Court.



Luis Moreno-Ocampo, Prosecutor

Dated this 19th day of November 2010

At The Hague, The Netherlands