



Original: English

No.: ICC-01/09-01/11

Date: 8 July 2011

**PRE-TRIAL CHAMBER II**

**Before: Judge Ekaterina Trendafilova, Single Judge**

**SITUATION IN THE REPUBLIC OF KENYA**

**IN THE CASE OF  
THE PROSECUTOR *v.* WILLIAM SAMOEI RUTO, HENRY KIPRONO KOSGEY  
AND JOSHUA ARAP SANG**

**Public**

**With confidential annexes, *ex parte* only available to the Registry**

**Third transmission to the Pre-Trial Chamber of applications to participate in the  
proceedings**

**Source: Registry**

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

**The Office of the Prosecutor**

Mr Luis Moreno-Ocampo

Ms Fatou Bensouda

Ms Cynthia Tai

**Counsel for the Defence**

**Defence of William Samoei Rulo**

Mr Kioko Kilukumi Musau

Mr David Hooper

**Defence of Henry Kiprono Kosgey**

Mr George Odinga Oraro

Mr Alan Kosgey

**Defence of Joshua Arap Sang**

Mr Joseph Kipchumba Kigen-Katwa

Mr Joel Kimutai Bosek

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

Ms Liesbeth Zegveld

Mr Peter Njenga Mwangi

Mr Francis Kissinger Kakai

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

Ms Paolina Massidda

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

**States' Representatives**

**Amicus Curiae**

**REGISTRY**

**Registrar**

Ms Silvana Arbia

**Counsel Support Section**

**Deputy Registrar**

Mr Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Ms Fiona McKay

The Registrar of the International Criminal Court (“the Court”);

NOTING article 68(3) of the Rome Statute, rule 89(1) of the Rules of Procedure and Evidence, and regulation 86(5) of the Regulations of the Court;

NOTING the Decision on the Prosecutor’s Application for Summons to Appear for William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang;<sup>1</sup>

NOTING the Decision Designating a Single Judge;<sup>2</sup>

NOTING the First Decision on Victims’ Participation in the Case (the “First Decision”);<sup>3</sup>

NOTING the Decision on the Registrar’s “Request for instructions on the processing of victims’ applications” in which the Registry was instructed to transmit only complete applications to the Chamber;<sup>4</sup>

NOTING the instructions of the Chamber that applications transmitted to it in unredacted form should nonetheless indicate the redactions which have been applied to the versions transmitted to the parties and participants;<sup>5</sup>

CONSIDERING that on 24 June 2011 the Registry transmitted to the Chamber 105 applications for participation which appear to be linked to the present case;

CONSIDERING that the Registry has since then reviewed a further approximately 1700 applications for participation which appear to be linked to the present case;

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<sup>1</sup> ICC-01/09-01/11-1.

<sup>2</sup> ICC-01/09-01/11-6.

<sup>3</sup> ICC-01/09-01/11-17.

<sup>4</sup> ICC\_01/09-01/11-147.

<sup>5</sup> Meeting between Pre-Trial Chamber II and the VPRS, 28 June 2011.

**CONSIDERING** that 230 of those applications appear to be complete and have now been processed and redacted in accordance with the orders of the Chamber in its First Decision;

**CONSIDERING** that the Registry will transmit these 230 applications in redacted form to the parties and the legal representatives of the applicants in accordance with the Chamber's orders in its First Decision;

**CONSIDERING** that nine of the 230 applications contain portions in Kiswahili, of which translations are currently being made, and that the Registry will next week transmit these translations to the Chamber, and to the parties and participants (in redacted form);

**CONSIDERING** that the Registry will also prepare and transmit to the Chamber an individual report for each of the applications annexed to this report in accordance with the orders of the Chamber in its First Decision which will be filed separately;

**CONSIDERING** that the applications annexed to the present report contain information which may serve to identify the applicants and for which are classified by the Registry as confidential *ex parte*;

**TRANSMITS** the 230 applications to participate in the proceedings to the Chamber.



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Marc Dubuisson, Director DCS  
*as per delegation*  
Silvana Arbia, Registrar

Dated this 8 July 2011

At The Hague, The Netherlands