

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11
Date: 6 December 2012

TRIAL CHAMBER V

Before: Judge Kuniko Ozaki, Presiding
Judge Christine Van den Wyngaert
Judge Chile Eboe-Osuji

SITUATION IN THE REPUBLIC OF KENYA

**IN THE CASE OF
*THE PROSECUTOR v. WILLIAM SAMOEI RUTO and JOSHUA ARAP SANG***

Public

Decision on joint defence request for extension of time

Decision to be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor
Ms Fatou Bensouda

Counsel for William Samoei Ruto
Mr Kioko Kilukumi Musau
Mr David Hooper

Legal Representatives of Victims
Mr Wilfred Nderitu

Counsel for Joshua Arap Sang
Mr Joseph Kipchumba Kigen-Katwa
Mr Joel Kimutai Bosek
Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Trial Chamber V ("Chamber") of the International Criminal Court, in the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang*, pursuant to Regulation 35(2) of the Regulations of the Court ("Regulations"), issues this Decision on joint defence request for extension of time.

1. On 4 December 2012, the defence teams for Mr Ruto and Mr Sang (together the "Defence") filed the Joint Defence Request for Extension of Time to Respond to Delayed Disclosure Application ("Request for Extension").¹ The Defence seeks an extension of time, until 11 December 2012, to file a response to the prosecution's application for the delayed disclosure of the identities of certain witnesses ("Delayed Disclosure Application").² The relevant procedural history is set out in the Request for Extension.
2. The Chamber considers that the Defence has shown good cause for an extension of time, within the meaning of Regulation 35(2) of the Regulations. In particular, the Chamber notes that the Request for Extension is limited to four days and, according to the Defence, resulted from a lack of access to all of the information required to analyse and respond to the Delayed Disclosure Application.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

GRANTS the Request for Extension.

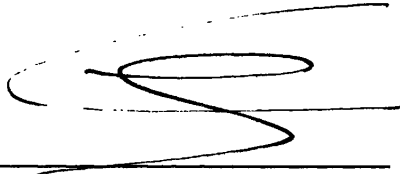
¹ ICC-01/09-01/11-495 (notified 5 December 2012).

² Public Redacted Version of the 5 November 2012 "Prosecution's application for delayed disclosure of the identities of certain witnesses and authorisation of redactions pursuant to Decision ICC-01/09-01/11-458", 7 November 2012, ICC-01/09-01/11-468-Red.

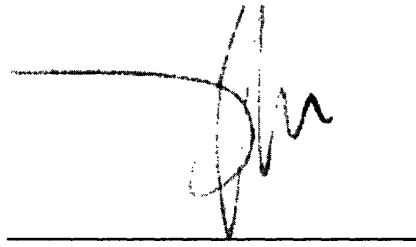
Done in both English and French, the English version being authoritative.



Judge Kuniko Ozaki, Presiding



Judge Christine Van den Wyngaert



Judge Chile Eboe-Osuji

Dated 6 December 2012

At The Hague, The Netherlands