

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-02/11
Date: 12 December 2012

TRIAL CHAMBER V

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

SITUATION IN THE REPUBLIC OF KENYA

**IN THE CASE OF
THE PROSECUTOR *v.* FRANCIS KIRIMI MUTHAURA
AND
UHURU MUIGAI KENYATTA**

Public

Order convening an *ex parte* status conference

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 Francis Kirimi Muthaura
Mr Karim Khan , Mr Essa Faal,
Mr Kennedy Ogetto, Ms Shyamala
Alagendra

Counsel for Uhuru Muigai Kenyatta
Mr Steven Kay
Ms Gillian Higgins

Legal Representatives of Victims
Fergal Gaynor
Unrepresented Victims

Legal Representatives of Applicants

**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
Ms Maria Luisa Martinod-Jacome

Detention Section

**Victims Participation and Reparations
Section**

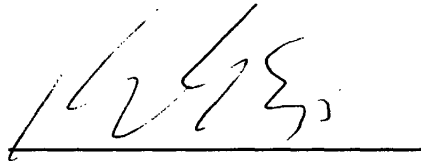
Others

Trial Chamber V ("Chamber") of the International Criminal Court in the case of *The Prosecutor v. Francis Kirimi Muthaura and Uhuru Muigai Kenyatta* renders this Order convening an *ex parte* status conference.

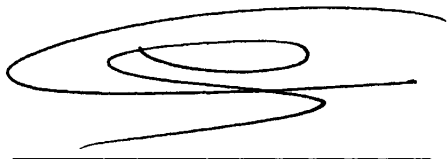
On 3 December 2012, the Muthaura defence filed a request for an urgent *ex parte* hearing ("Request").¹ On 7 December 2012, the defence provided further information regarding the purpose of the proposed hearing ("Submission of Additional Information"),² pursuant to an Order of the Chamber.³

Further to the Request and pursuant to Articles 64(6), 68(1) of the Rome Statute and Rule 132(2) of the Rules of Procedure and Evidence, the Chamber hereby:

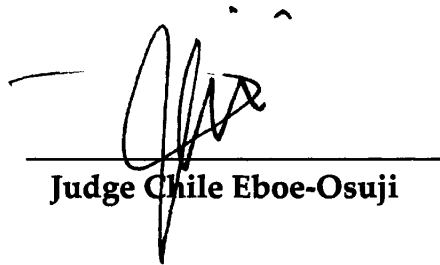
CONVENES an *ex parte*, Muthaura defence and VWU only, status conference to be held from 12.00 to 13.00 on Wednesday, 12 December 2012 to address the issues raised in the Request and Submission of Additional Information.



Judge Kuniko Ozaki, Presiding Judge



Judge Christine Van den Wyngaert



Judge Chile Eboe-Osuji

Dated 12 December 2012

At The Hague, The Netherlands

¹ Muthaura Defence Request for an Urgent *ex parte* Hearing, 2012 ICC-01/09-02/11-550-Conf-Exp (dated 2 December).

² Defence Submission of Additional Information in accordance with the Trial Chamber's "Order regarding Muthaura Defence Request for an Urgent *ex parte* Hearing", ICC-01/09-02/11-560-Conf-Exp.

³ Order regarding Muthaura Defence Request for an Urgent *ex parte* Hearing", ICC-01/09-02/11-567-Conf-Exp.