

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11
Date: 30 January 2013

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

Order for observations on issues related to the commencement of trial

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 Wilfried 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**

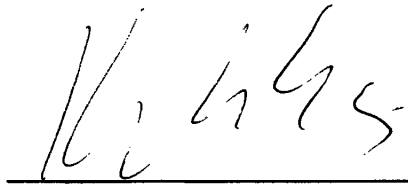
Others

1. Trial Chamber V ("Chamber") is planning to hold a status conference in accordance with Rule 132(2) of the Rules of Procedure and Evidence, before the start of trial. The purpose of the status conference will be to discuss certain matters relating to the forthcoming commencement of trial.
2. In order to facilitate the parties and participants' preparation for the status conference and to allow for sufficient time for arrangements with the Host State, if necessary, and notwithstanding the pending "Joint Defence Application for a Change of Place where the Court Shall Sit for Trial",¹ the Chamber orders the Office of the Prosecutor ("Prosecution"), the Defence for William Samoei Ruto and the Defence for Joshua Arap Sang (together "Defence") to submit, no later than 6 February 2013, any observations on:
 - (i) whether the conditions listed in the summonses to appear issued by the Pre-Trial Chamber² are sufficient and adequate for the purposes of the trial; and
 - (ii) whether there are any practical, financial and/or legal matters to be dealt with for the accused to be able to attend the trial at the seat of the Court, including the modalities of the Accused's stay on the territory of the Host State during the trial.
3. The Prosecution, the Defence and the Common Legal Representative of Victims may also submit, no later than 6 February 2013, any other urgent issue that requires the immediate attention of the Chamber.
4. The Registry is to file its observations on issues (i) and (ii) above and any other urgent matters by 12 February 2013.

¹ ICC-01/09-01/11-567.

² Pre-Trial Chamber II, Decision on the Prosecutor's Application for Summons to Appear for William Samoei Ruto, Henry Kiprono Kosgey and Joshua Arap Sang, 8 March 2011, ICC-01/09-01/11-1, pp. 23-24.

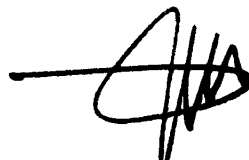
Done in both English and French, the English version being authoritative.

A handwritten signature in black ink, appearing to read 'K. Ozaki', written over a horizontal line.

Judge Kuniko Ozaki, Presiding Judge

A handwritten signature in black ink, consisting of a large, stylized 'S' shape, written over a horizontal line.

Judge Christine Van den Wyngaert

A handwritten signature in black ink, consisting of a stylized 'A' shape with a horizontal line through it, written over a horizontal line.

Judge Chile Eboe-Osuji

Dated 30 January 2013

At The Hague, The Netherlands