

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11
Date: 22 February 2013

TRIAL CHAMBER V

Before: 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. WILLIAM SAMOEI RUTO AND JOSHUA ARAP SANG***

**Confidential
With two confidential annexes**

Registry's transmission of a submission received on 20 February 2013

Source: The Registry

Document 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

Counsel for Joshua Arap Sang

Mr Joseph Kipchumba Kigen-Katwa

Mr Joel Kimutai Bosek

Legal Representatives of the Victims

Mr Wilfred Nderitu

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

Counsel Support Section

Deputy Registrar

Mr. Didier Preira

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registry of the International Criminal Court (the "Court");

NOTING rule 13(1) of the Rules of Procedure and Evidence ("RPE") and regulations 23*bis* and 24*bis* of the Regulations of the Court;

CONSIDERING that on 20 February 2013, the Registry received an electronic correspondence from the Office of the Prosecutor with two annexed documents regarding threats in Kenya;

CONSIDERING that these documents concern the overall security situation in Kenya;

CONSIDERING that the Office of the Prosecutor is of the view that these documents should be brought to the attention of Trial Chamber V (the "Chamber");

CONSIDERING that the Security and Safety Section has been instructed by the Registrar to make an assessment of these documents on the Court's operations on the ground;

CONSIDERING that although these documents make reference to public information, they contain sensitive and confidential information and are therefore submitted to the Chamber as confidential;

TRANSMITS respectfully to the Chamber:

- A letter dated 13 February 2013 from the Mungiki Veterans Group/Kenya Sovereignty Defence squad;
- The Chief Justice's Statement on Judges' Security and Elections dated 20 February 2013.



Silvana Arbia, Registrar

Dated this 22 February 2013

At The Hague in The Netherlands