

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 28 March 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***

Confidential

**Order regarding the Prosecution's urgent application for extension of time to disclose the
identity of Witness 534**

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

Counsel for Joshua Arap Sang

Mr Joseph Kipchumba Kigen-Katwa

Mr Silas Chekera

Legal Representatives of Victims

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

Ms Maria Luisa Martinod-Jacome

Detention Section

**Victims Participation and Reparations
Section**

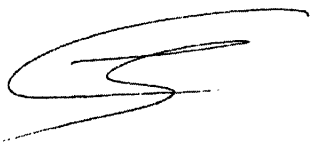
Others

1. On 13 March 2013 the Prosecution filed an urgent application requesting an extension of time to disclose the identity of Witness 534 ("Application").¹ According to an earlier decision of the Chamber, the identity of this witness was to be disclosed to the Defence by 13 March 2013.²
2. The Victims and Witnesses Unit ("VWU") has previously submitted reports on the security situation of Witness 534 to the Chamber.³ In determining the Application, the Chamber would be assisted by receiving an update from the VWU on the witness's security situation and status of any implemented or anticipated protective measures. The Chamber directs the VWU to file its update by 3 April 2013.

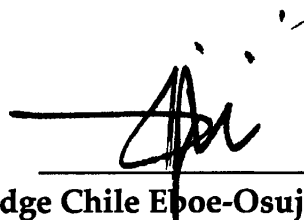
Done in both English and French, the English version being authoritative.



Judge Kuniko Ozaki, Presiding Judge



Judge Christine Van den Wyngaert



Judge Chile Eboe-Osuji

Dated 28 March 2013

At The Hague, The Netherlands

¹ Prosecution's Urgent Application for Extension of Time to Disclose the Identity of Witness P-0534, ICC-01/09-01/11-648-Conf-Red.

² Decision on the disclosure of identities of Witnesses 495, 524, 534 and 536, 6 March 2013, ICC-01/09-01/11-638-Conf-Red.

³ Victims and Witnesses Unit's Assessment of the Security Situation and Protection Status of Witnesses P-495, P-534 and P-536 Pursuant to the "Decision on the second and third Prosecution requests for delayed disclosure of witness identities" (ICC-01/09-01/11-564-Conf-Exp), 11 February 2013, ICC-01/09-01/11-601-Conf-Exp; Victims and Witnesses Unit's Updated Report on Witnesses KEN-OTP-P-0495, KEN-OTP-P-0534 and KEN-OTP-P-0536, 1 March 2013, ICC-01/09-01/11-631-Conf-Exp.