



Original: English

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

Date: 28 June 2013

TRIAL CHAMBER V(A)

Before: Judge Chile Eboe-Osuji, Presiding
Judge Olga Herrera Carbuccion
Judge Robert Fremr

SITUATION IN THE REPUBLIC OF KENYA

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

Public

**Defence Notification of Withdrawal of request contained in ICC-01/09-01/11-416,
submitted on 28 May 2012**

Source: Defence for Mr. William Samoei Ruto

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Fatou Bensouda, Prosecutor
James Stewart, Deputy Prosecutor
Cynthia Tai, Trial Lawyer

Counsel for William Ruto

Karim AA Khan QC, David Hooper QC,
Kioko Kilukumi, Shyamala Alagendra

Counsel for Joshua Sang

Joseph Kipchumba Kigen-Katwa
Silas Chekera

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

Ms. Paolina Massidda

The Office of Public Counsel for the Defence

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 28 May 2012, the Defence of Mr. William Samoei Ruto ("Defence") submitted its "Written Submissions in Response to 'Order Scheduling a Status Conference'" ("Written Submissions").¹
2. At paragraph 22 of the Written Submissions, the Defence requested that the Trial Chamber, "at an early stage of the trial proceedings and before the evidence is called [...] indicate whether the definition adopted by the confirmation chamber [of the term 'organizational policy'] is seen as binding on the trial chamber or whether another definition will be employed and, if so, what that contains".²
3. After further consideration, the Defence hereby respectfully notifies the Trial Chamber of the Defence's withdrawal of its request at paragraph 22 of the Written Submissions.

Respectfully submitted,



Karim A.A. Khan QC
Lead Counsel for Mr. William Samoei Ruto

Dated this 28th Day of June 2013
At Nairobi, Kenya

¹ ICC-01/09-01/11-416.

² The Defence reiterated this request during the Status Conference held on 11 June 2012 (ICC-01/09-01/11-T-15-ENG ET, p. 39, lines 16-17).