



Original: English

No.: ICC-01/09-01/11
Date: 26 August 2013

THE PRESIDENCY

Before: Judge Sang-Hyun Song, President
Judge Sanji Mmasenono Monageng, First Vice-President
Judge Cuno Tarfusser, Second Vice-President

SITUATION IN THE REPUBLIC OF KENYA

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

Public with public annex

**Notification of the Decision of the Plenary of Judges on the
“Joint Defence Application for a Change of Place where the Court Shall Sit for 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 the Defence

For William Samoei Ruto
Mr Karim Khan QC
Mr Kioko Kilukumi Musau
Mr David Hooper QC

For Joshua Arap Sang
Mr Joseph Kipchumba Kigen-Katwa
Mr 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
Mr Herman von Hebel

Deputy Registrar
Mr Didier Preira

Victims and Witnesses Unit
Mr Patrick Craig

Detention Section

Victims Participation and Reparations Section

Other
Trial Chamber V(a)

The Presidency of the International Criminal Court;

In the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* (“case”);

Noting the “Joint Defence Application for a Change of Place where the Court Shall Sit for Trial” filed before the Presidency on 24 January 2013 requesting, pursuant to rule 100 of the Rules of Procedure and Evidence (“Rules”), to have the place of trial changed to the Republic of Kenya (“Kenya”) or, alternatively, to Arusha, United Republic of Tanzania (“Tanzania”), using the facilities of the International Criminal Tribunal for Rwanda;¹

Noting the Chamber’s “Recommendation to the Presidency on where the Court shall sit for trial” of 3 June 2013, stating that it may be desirable to hold the commencement of the trial in the case and other portions thereof in Kenya, or alternatively, in Tanzania;²

Noting rule 100 of the Rules;

Noting that a plenary session of judges was convened on 11 July 2013 to decide upon the matter;³

Hereby orders the Registrar to transmit this notification and its annex (containing the Decision of the Plenary of Judges) to all parties and participants in the case.

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


Judge Sang-Hyun Song
President

Dated this 26 August 2013

At The Hague, The Netherlands

¹ ICC-01/09-01/11-567.

² ICC-01/09-01/11-763.

³ ICC Press Release ICC-CPI-20130715-PR931.