

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11
Date: 5 September 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

**Order regarding Responses to the Ruto Defence Request for Leave to Appeal
the “Decision on the Prosecution’s Requests to Add New Witnesses to its List
of Witnesses” and related Requests**

Decision to be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Anton Steynberg

Counsel for William Samoei Ruto

Mr Karim Khan

Mr David Hooper

Mr Essa Faal

Ms Shyamala Alagendra

Counsel for Joshua Arap Sang

Mr Joseph Kipchumba Kigen-Katwa

Legal Representatives of Victims

Mr Wilfred Nderitu

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Trial Chamber V(A) (the 'Chamber') of the International Criminal Court, in the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang*, having regard to Regulations 34 and 65(3) of the Regulations of the Court, issues this Order Regarding Responses to the Ruto Defence Request for Leave to Appeal the "Decision on the Prosecution's Requests to Add New Witnesses to its List of Witnesses" and related Requests.

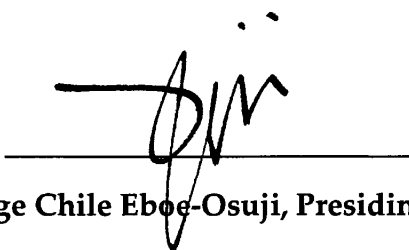
1. On 3 September 2013, the Chamber issued the "Decision on the Prosecution's Requests to Add New Witnesses to its List of Witnesses" (the 'Decision'),¹ authorising the Office of the Prosecutor to add two persons to its list of witnesses.
2. On 4 September 2013, the defence team for Mr Ruto (the 'Ruto Defence') filed a request for leave to appeal the Decision, combined with a request for an adjournment of four weeks following the opening statements, and a request to vary the time limits for responses to its request for leave to appeal (the 'Ruto Defence Requests').²
3. In light of the commencement date of the trial and bearing in mind that part of the Ruto Defence Requests relates to the period immediately after the opening statements, the Chamber hereby directs the parties to present their responses to

¹ ICC-01/09-01/11-899-Conf. A public redacted version was filed on 5 September 2013 (ICC-01/09-01/11-899-Red).

² Defence Application for Leave to Appeal the "Decision on the Prosecution's Requests to Add New Witnesses to its List of Witnesses" and Request for: (1) Adjournment Following the Opening of Trial Proceedings and (2) Variation of time limits pursuant to Regulation 35 of the Regulations of the Court, ICC-01/09-01/11-905-Conf.

the Ruto Defence Requests, if any, orally during the status conference scheduled for 9 September 2013.³

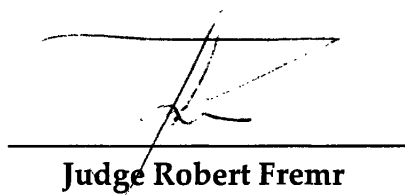
Done in both English and French, the English version being authoritative.



Judge Chile Eboe-Osuji, Presiding Judge



Judge Olga Herrera Carbuccion



Judge Robert Fremr

Dated 5 September 2013

At The Hague, The Netherlands

³ See Scheduling Order for Status Conference, 4 September 2013, ICC-01/09-01/11-903.