

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-01/11
Date: 1 October 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***

URGENT

Public

**With one public annex and one confidential *ex parte* Registry and Government of
Kenya only annex**

Registry transmission of a document submitted by the Republic of Kenya

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, Prosecutor

Mr Anton Steynberg, Senior Trial Lawyer

Counsel for William Samoei Ruto

Mr Karim Khan

Mr David Hooper

Counsel for Joshua Arap Sang

Mr Joseph Kigen-Katwa

Ms Caroline Buisman

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

Mr. Githu Muigai, SC

Attorney General, Republic of Kenya

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

**Other
Pre-Trial Chamber II**

The Registry of the International Criminal Court (the “Court”);

NOTING the “ Government of Kenya’ Application Pursuant to Rule 103 (1) for Leave to file Observations Pursuant to Rule 103 (1) of the Rules of Procedure and Evidence of the International Criminal Court to file Submissions on the Proposed Motion by Kenya’s National Assembly and Senate to Withdraw Kenya from the Rome Statute” (the “ Application”) dated 30 September 2013 ;¹

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

CONSIDERING that the Registry received, on 1 October 2013 an email (Annex 1) from the Embassy of the Republic of Kenya to the Kingdom of the Netherlands indicating that the Government’s application of Kenya is to be submitted before Trial Chamber V (a);

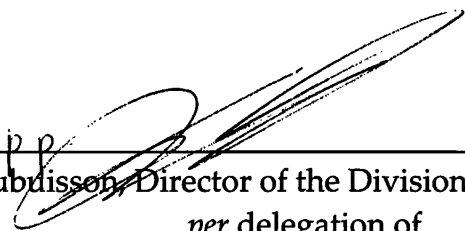
CONSIDERING that Annex 1 is classified Confidential *ex parte* Registry and the Government of Kenya only as it contains email addresses and names both of ICC staff members and from the Kenyan Embassy;

CONSIDERING the role of the Registry as the Court's channel of communication under rule 13(1) of the RPE and in the interest of the proper administration of justice;

¹ ICC-01/09-121

TRANSMITS, respectfully, for the Chamber's consideration:

- The Application submitted by the Republic of Kenya (Annex 2).



Marc Dubuisson, Director of the Division of Court Services
per delegation of
Herman von Hebel, Registrar

Dated this 1 October 2013

At The Hague in The Netherlands