



Original: **English**

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

Date: **20 May 2014**

TRIAL CHAMBER V(A)

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

SITUATION IN THE REPUBLIC OF KENYA

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

Public

Decision No. 4 on the Conduct of Proceedings
(Evidence and Solemn Declarations in Support of Applications)

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 Sleyenberg

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-Katwe

Ms Caroline Buisman

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

Counsel Support Section

Victims and Witnesses Unit

Mr Patrick Craig

Detention Section

**Victims Participation and Reparations
Section**

Others

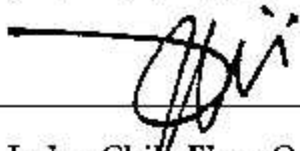
Trial Chamber V(A) (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v William Samoei Ruto and Joshua Arap Sang*, pursuant to Article 64(2) of the Rome Statute and Rule 134(3) of the Rules of Procedure and Evidence, renders this Decision No. 4 on the Conduct of Proceedings (Evidence and Solemn Declarations in Support of Applications).

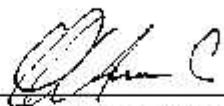
1. The Chamber notes that, in their written applications, the parties and participants often make assertions as to facts in support of their applications.
2. HENCEFORTH, where such factual allegations are critical to the Chamber’s determination of an application, the requesting party or participant must support the assertion with evidence in the manner of documents or other evidential material. In the absence of such evidential document or material, the party or participant must provide a solemn declaration attesting to (a) the truth of any critical factual assertion, or (b) information (indicating its source) and belief of the truth of such critical factual assertion.

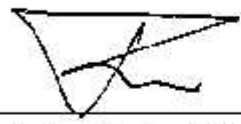
FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

DIRECTS the parties and participants to proceed accordingly.

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



Judge Chile Eboe-Osuji
(Presiding)

Judge Olga Herrera Carbuccia

Judge Robert Fremr

Dated 20 May 2014

At The Hague, The Netherlands