

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 11 December 2014

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

Decision No. 6 on the Conduct of Proceedings

(Interim Redacted Transcripts)

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

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 Nigel Verrill

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 Articles 64(2) and 67(1) of the Rome Statute and Rule 134(3) of the Rules of Procedure and Evidence, renders this Decision No. 6 on the Conduct of Proceedings (Interim Redacted Transcripts).

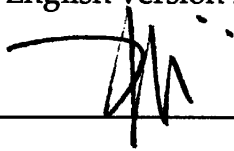
1. The Chamber recalls that the parties were directed to propose public redacted versions of any confidential transcripts of hearings.¹ As a matter of practice, pending the Chamber’s approval of the parties’ redaction proposals, the Registry issued interim versions of the transcript, from which the entire content of private or closed sessions was redacted.
2. The Chamber notes that in practice the interim versions of transcript appeared only shortly before the ones with redactions revised and approved by the Chamber. Therefore, the advantage of publication of such interim transcripts was minimal. There was also a risk of inadvertent disclosure of confidential information prior to review by the Chamber. For these reasons, the Chamber considers that there is no need for the preparation of interim transcripts and directs the Registry not to prepare them.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

DIRECTS the Registry to proceed accordingly.

¹ Decision on the Conduct of Trial Proceedings (General Directions), 9 August 2013, ICC-01/09-01/11-847-Corr, para. 34; Decision No. 3 on the Conduct of Proceedings (Public Redacted Versions of Transcripts of Testimonies Heard in Private Session), 24 September 2013, ICC-01/09-01/11-981.

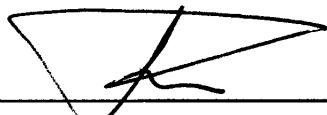
Done in both English and French, the English version being authoritative.



Judge Chile Eboe-Osuji
(Presiding)



Judge Olga Herrera Carbuccion



Judge Robert Fremr

Dated 11 December 2014

At The Hague, The Netherlands