

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09-02/11  
Date: 12 December 2012

**TRIAL CHAMBER V**

**Before:** Judge Kuniko Ozaki, Presiding Judge  
Judge Christine Van den Wyngaert  
Judge Chile Eboe-Osuji

**SITUATION IN THE REPUBLIC OF KENYA**

**IN THE CASE OF  
THE PROSECUTOR *v.* FRANCIS KIRIMI MUTHAURA  
AND  
UHURU MUIGAI KENYATTA**

**Public**

**Order convening an *ex parte* status conference**

No. ICC-01/09-02/11

1/3

12 December 2012

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 Francis Kirimi Muthaura**  
Mr Karim Khan , Mr Essa Faal,  
Mr Kennedy Ogetto, Ms Shyamala  
Alagendra

**Counsel for Uhuru Muigai Kenyatta**  
Mr Steven Kay  
Ms Gillian Higgins

**Legal Representatives of Victims**  
Fergal Gaynor  
**Unrepresented Victims**

**Legal Representatives of Applicants**  
  
**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for  
Victims**

**The Office of Public Counsel for the  
Defence**

**States Representatives**

*Amicus Curiae*

## **REGISTRY**

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**Registrar**  
Ms Silvana Arbia

**Deputy Registrar**

**Victims and Witnesses Unit**  
Ms Maria Luisa Martinod-Jacome

**Detention Section**

**Victims Participation and Reparations  
Section**

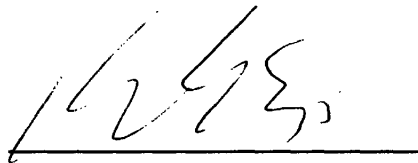
**Others**

**Trial Chamber V** ("Chamber") of the International Criminal Court in the case of *The Prosecutor v. Francis Kirimi Muthaura and Uhuru Muigai Kenyatta* renders this Order convening an *ex parte* status conference.

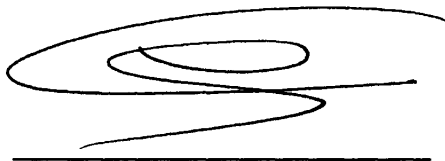
On 3 December 2012, the Muthaura defence filed a request for an urgent *ex parte* hearing ("Request").<sup>1</sup> On 7 December 2012, the defence provided further information regarding the purpose of the proposed hearing ("Submission of Additional Information"),<sup>2</sup> pursuant to an Order of the Chamber.<sup>3</sup>

Further to the Request and pursuant to Articles 64(6), 68(1) of the Rome Statute and Rule 132(2) of the Rules of Procedure and Evidence, the Chamber hereby:

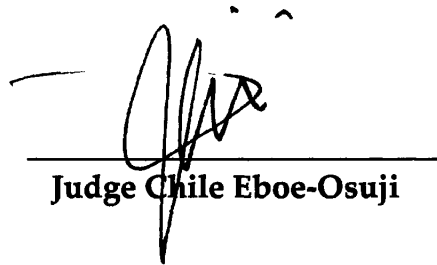
**CONVENES** an *ex parte*, Muthaura defence and VWU only, status conference to be held from 12.00 to 13.00 on Wednesday, 12 December 2012 to address the issues raised in the Request and Submission of Additional Information.



**Judge Kuniko Ozaki, Presiding Judge**



**Judge Christine Van den Wyngaert**



**Judge Chile Eboe-Osuji**

Dated 12 December 2012

At The Hague, The Netherlands

<sup>1</sup> Muthaura Defence Request for an Urgent *ex parte* Hearing, 2012 ICC-01/09-02/11-550-Conf-Exp (dated 2 December).

<sup>2</sup> Defence Submission of Additional Information in accordance with the Trial Chamber's "Order regarding Muthaura Defence Request for an Urgent *ex parte* Hearing", ICC-01/09-02/11-560-Conf-Exp.

<sup>3</sup> Order regarding Muthaura Defence Request for an Urgent *ex parte* Hearing", ICC-01/09-02/11-567-Conf-Exp.