

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09-02/11

Date: 26 March 2013

**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. UHURU MUIGAI KENYATTA***

**Public**

**Order on submissions regarding the accused's presence at trial via video link**

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

**The Office of the Prosecutor**

Ms Fatou Bensouda  
Ms Adesola Adeboyejo

**Counsel for the Defence**

Mr Steven Kay  
Ms Gillian Higgins

**Legal Representatives of Victims**

Mr Fergal Gaynor

**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for  
Victims**

Ms Paolina Massida

**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**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Others**

**Trial Chamber V** (“Chamber”) of the International Criminal Court (“Court”), in the case of *The Prosecutor v. Uhuru Muigai Kenyatta*, pursuant to Regulation 28 of the Regulations of the Court, renders the following Order on submissions regarding the accused’s presence at trial via video link.

1. On 28 February 2013, the defence for Mr Kenyatta (“Defence”) filed a request to the Chamber to permit Mr Kenyatta to be present during the trial via video link from Kenya, as a means of participation in the proceedings on a regular basis.<sup>1</sup>
2. On 8 March 2013, the Common Legal Representative for Victims filed a response to the Defence’s request.<sup>2</sup>
3. The Chamber considers that practical aspects may be of relevance to the issue of whether the accused may be present at trial via video link. The Chamber may thus be assisted by the Registry’s submissions on modalities of a video link, such as the time required to arrange for such a link, a place from which the video link could be made and the reliability of available equipment.

**FOR THE FOREGOING REASONS, THE CHAMBER HEREBY**

**ORDERS** the Registry to file, no later than 9 April 2013, submissions on modalities of a video link, as set out in paragraph 3 above.

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<sup>1</sup> Defence Request for Mr Kenyatta to be Present During Trial via Video Link, ICC-01/09-02/11-667.

<sup>2</sup> Victims’ Response to the “Defence Request for Mr. Kenyatta to be Present During trial via Video Link,” ICC-01/09-02/11-686.

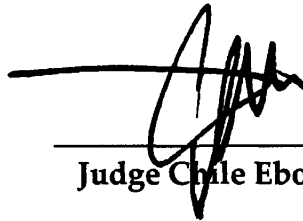
Done in both English and French, the English version being authoritative.



**Judge Kuniko Ozaki, Presiding Judge**



**Judge Christine Van den Wyngaert**



**Judge Chile Eboe-Osuji**

Dated 26 March 2013

At The Hague, The Netherlands