

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

**No. ICC-01/09-01/11 OA 5**

**Date: 31 July 2013**

**THE APPEALS CHAMBER**

**Before:**  
**Judge Sang-Hyun Song**  
**Judge Sanji Mmasenono Monageng**  
**Judge Akua Kuenyehia**  
**Judge Erkki Kourula**  
**Judge Anita Ušacka**

**SITUATION IN THE REPUBLIC OF KENYA**

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

**Public document**

**Decision**

**on the Presiding Judge of the Appeals Chamber in the appeal of the Prosecutor  
against the decision of Trial Chamber V(a) entitled “Decision on Mr Ruto’s  
Request for Excusal from Continuous Presence at Trial”**

**Decision 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 Fabricio Guariglia

**Counsel for Mr William Samoei Ruto**  
Mr Karim Khan  
Mr David Hooper

**Counsel for Mr Joshua Arap Sang**  
Mr Joseph Kipchumba Kigen-Katwa  
Mr Silas Chekera

**REGISTRY**

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**Registrar**  
Mr Herman von Hebel

The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against the decision of Trial Chamber V(a) entitled  
“Decision on Mr Ruto’s Request for Excusal from Continuous Presence at Trial” of  
18 June 2013 (ICC-01/09-01/11-777),

Pursuant to regulation 13 (1) of the Regulations of the Court,

*Renders* the following

## DECISION

The Presiding Judge in the above-mentioned appeal is Judge Sang-Hyun Song.

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

  
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**Judge Akua Kuenyehia**  
**President of the Appeals Division**

Dated this 31<sup>st</sup> day of July 2013

At The Hague, The Netherlands