

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 2 August 2013

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 Redacted Version

**Order for additional submission relating to Prosecution application regarding
the disclosure of the identities of certain individuals who will not appear as
trial witnesses**

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 Anton Steynberg

Counsel for William Samoei Ruto

Mr Karim Khan
Mr David Hooper
Mr Kioko Kilukumi
Ms Shyamala Alagendra

Counsel for Joshua Arap Sang

Mr Joseph Kipchumba Kigen-Katwa
Mr Silas Chekera

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

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Trial Chamber V(A) (the ‘Chamber’) of the International Criminal Court (the ‘Court’), in the case of *The Prosecutor v William Samoei Ruto and Joshua Arap Sang*, pursuant to Regulation 28 of the Regulations of the Court, renders its Order for additional submission relating to Prosecution application regarding the disclosure of the identities of certain individuals who will not appear as trial witnesses.

1. On 11 July 2013, the Prosecution filed the public redacted version of the ‘Prosecution’s application regarding the disclosure of the identities of certain individuals who will not appear as trial witnesses’ (‘Application’).¹ The Application seeks to permanently redact the identifying information of 12 persons who were interviewed by the Prosecution and provided information which is subject to disclosure, but who are not being called as witnesses during trial.²
2. On 15 July 2013, the defence team for Mr Ruto responded to the Application.³ [REDACTED].⁴
3. [REDACTED].⁵ [REDACTED].

THE CHAMBER HEREBY

ORDERS the Prosecution to file further submissions in accordance with paragraph 3 of the present order by Tuesday, 6 August 2013 at 16:00.

¹ ICC-01/09-01/11-810-Red (with one confidential *ex parte* annex).

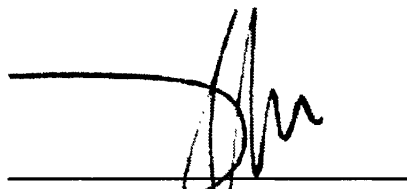
² Application, ICC-01/09-01/11-810-Red, para. 60 (individuals referenced across paragraphs 27 to 59).

³ Defence Response to “Prosecution’s application regarding the disclosure of the identities of certain individuals who will not appear as trial witnesses (ICC-01/09-01/11-810-Conf-Exp)”, 15 July 2013, ICC-01/09-01/11-813-Conf (with six confidential *ex parte* annexes; public redacted version of Response filed 16 July 2013) .

⁴ [REDACTED].

⁵ [REDACTED].


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



Judge Chile Eboe-Osuji
(Presiding)



Judge Olga Herrera Carbuccion



Judge Robert Fremr

Dated 2 August 2013

At The Hague, The Netherlands