

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 10 April 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 with Confidential Redacted and Confidential *ex parte* Annexes  
Order entering into the record a note of an *ex parte* meeting**

**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**

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**Registrar**

Mr Herman von Hebel

**Deputy Registrar**

**Victims and Witnesses Unit**

Mr Patrick Craig

**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*, issues the following Order entering into the record a note of an *ex parte* meeting.

1. On 31 March 2014, the Chamber invited the parties and the legal representative of victims to make submissions on the request for protective measures for Witness 508.<sup>1</sup>
2. During that hearing, the need arose for the Prosecution to communicate to the Chamber, in an *ex parte* manner, information relevant to the matter of protective measures that was being discussed.<sup>2</sup>
3. Accordingly, the Presiding Judge briefly adjourned the hearing and directed the Prosecution to join the Chamber in the meeting room adjacent to the courtroom in order to discuss this matter.<sup>3</sup>
4. In accordance with Article 64(10) of the Rome Statute, the Chamber now enters into the record a note that summarises this *ex parte* meeting.

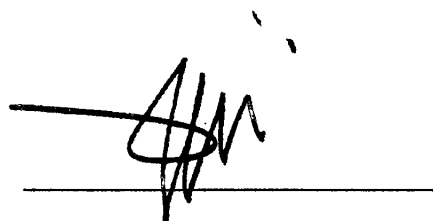
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<sup>1</sup> Transcript of hearing on 31 March 2014, ICC-01/09-01/11-T-104-CONF-ENG ET, page 2, line 14.

<sup>2</sup> Transcript of hearing on 31 March 2014, ICC-01/09-01/11-T-104-CONF-ENG ET, page 2, line 21 to page 3, line 2.

<sup>3</sup> Transcript of hearing on 31 March 2014, ICC-01/09-01/11-T-104-CONF-ENG ET, page 3, lines 4-9.

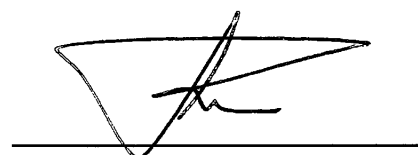
Done in both English and French, the English version being authoritative.



**Judge Chile Eboe-Osuji**  
(Presiding)



**Judge Olga Herrera Carbuccion**



**Judge Robert Fremr**

Dated 10 April 2014

At The Hague, The Netherlands