

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 20 May 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**

**Decision No. 4 on the Conduct of Proceedings**  
**(Evidence and Solemn Declarations in Support of Applications)**

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

**Counsel Support Section**

**Victims and Witnesses Unit**

Mr Patrick Craig

**Detention Section**

**Victims Participation and Reparations  
Section**

**Others**

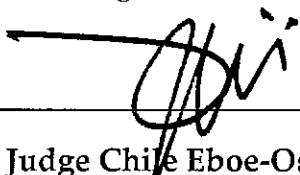
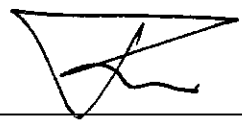
**Trial Chamber V(A)** (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v William Samoei Ruto and Joshua Arap Sang*, pursuant to Article 64(2) of the Rome Statute and Rule 134(3) of the Rules of Procedure and Evidence, renders this Decision No. 4 on the Conduct of Proceedings (Evidence and Solemn Declarations in Support of Applications).

1. The Chamber notes that, in their written applications, the parties and participants often make assertions as to facts in support of their applications.
2. HENCEFORTH, where such factual allegations are critical to the Chamber’s determination of an application, the requesting party or participant must support the assertion with evidence in the manner of documents or other evidential material. In the absence of such evidential document or material, the party or participant must provide a solemn declaration attesting to (a) the truth of any critical factual assertion, or (b) information (indicating its source) and belief of the truth of such critical factual assertion.

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

**DIRECTS** the parties and participants to proceed accordingly.

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

  
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Judge Chile Eboe-Osuji  
(Presiding)  
\_\_\_\_\_  
Judge Olga Herrera Carbuccion  
\_\_\_\_\_  
Judge Robert Fremr

Dated 20 May 2014

At The Hague, The Netherlands