

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09-01/11  
Date: 6 December 2012

**TRIAL CHAMBER V**

**Before:** Judge Kuniko Ozaki, Presiding  
Judge Christine Van den Wyngaert  
Judge Chile Eboe-Osuji

**SITUATION IN THE REPUBLIC OF KENYA**

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

**Public**

**Decision on joint defence request for extension of time**

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

**The Office of the Prosecutor**  
Ms Fatou Bensouda

**Counsel for William Samoei Ruto**  
Mr Kioko Kilukumi Musau  
Mr David Hooper

**Legal Representatives of Victims**  
Mr Wilfred Nderitu

**Counsel for Joshua Arap Sang**  
Mr Joseph Kipchumba Kigen-Katwa  
Mr Joel Kimutai Bosek  
**Legal Representatives of Applicants**

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for  
Victims**

**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, in the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang*, pursuant to Regulation 35(2) of the Regulations of the Court (“Regulations”), issues this Decision on joint defence request for extension of time.

1. On 4 December 2012, the defence teams for Mr Ruto and Mr Sang (together the “Defence”) filed the Joint Defence Request for Extension of Time to Respond to Delayed Disclosure Application (“Request for Extension”).<sup>1</sup> The Defence seeks an extension of time, until 11 December 2012, to file a response to the prosecution’s application for the delayed disclosure of the identities of certain witnesses (“Delayed Disclosure Application”).<sup>2</sup> The relevant procedural history is set out in the Request for Extension.
2. The Chamber considers that the Defence has shown good cause for an extension of time, within the meaning of Regulation 35(2) of the Regulations. In particular, the Chamber notes that the Request for Extension is limited to four days and, according to the Defence, resulted from a lack of access to all of the information required to analyse and respond to the Delayed Disclosure Application.

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

**GRANTS** the Request for Extension.

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<sup>1</sup> ICC-01/09-01/11-495 (notified 5 December 2012).

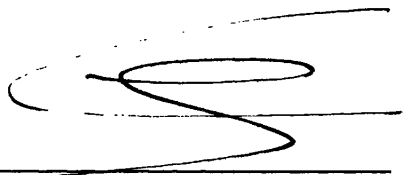
<sup>2</sup> Public Redacted Version of the 5 November 2012 “Prosecution’s application for delayed disclosure of the identities of certain witnesses and authorisation of redactions pursuant to Decision ICC-01/09-01/11-458”, 7 November 2012, ICC-01/09-01/11-468-Red.

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



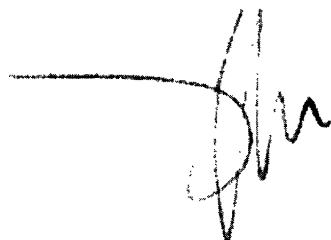
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**Judge Kuniko Ozaki, Presiding**



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**Judge Christine Van den Wyngaert**



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**Judge Chile Eboe-Osuji**

Dated 6 December 2012

At The Hague, The Netherlands