

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09-01/11  
Date: 17 September 2013

**TRIAL CHAMBER V(A)**

**Before:** Judge Chile Eboe-Osuji, Presiding Judge  
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 Public Annex A**

**Prosecution Filing in Compliance with the Chamber's 'Order Regarding  
Applications for Notice of Possibility of Variation of Legal Characterisation'**

**Source: Office of the Prosecutor**

**Document 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 the Defence**

**For William Samoei Ruto:**

Mr. Karim Khan  
Mr. David Hooper  
Ms. Shyamala Alagendra

**For Joshua Arap Sang:**

Mr. Joseph Kipchumba Kigen-Katwa  
Mr. Silas Chekera

**Legal Representatives of the Victims**

Mr. Wilfred Nderitu

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(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**

**Deputy Registrar**

Mr. Didier Preira

**Victims and Witnesses Unit**

Mr. Patrick Craig

**Detention Section**

**Victims Participation and Reparations  
Section**

**Others**

Pursuant to the Chamber's "Order Regarding Applications For Notice of Possibility of Variation of Legal Characterisation"<sup>1</sup>, the Prosecution files as Public Annex A hereto the facts and circumstances described in the Updated Document Containing the Charges which it submits would support the proposed recharacterisations in its application for notice to be given under Regulation 55(2) of the Regulations of the Court with respect to Mr Ruto's individual criminal responsibility<sup>2</sup>.



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**Fatou Bensouda, Prosecutor**

Dated this 17<sup>th</sup> day of September 2013

At The Hague, the Netherlands

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<sup>1</sup> ICC-01/09-01/11-907.

<sup>2</sup> ICC-01/09-01/11-433.