

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-02/11

Date: 26 March 2013

TRIAL CHAMBER V

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

SITUATION IN THE REPUBLIC OF KENYA

**IN THE CASE OF
*THE PROSECUTOR v. UHURU MUIGAI KENYATTA***

Public

Order on submissions regarding the accused's presence at trial via video link

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

The Office of the Prosecutor

Ms Fatou Bensouda
Ms Adesola Adeboyejo

Counsel for the Defence

Mr Steven Kay
Ms Gillian Higgins

Legal Representatives of Victims

Mr Fergal Gaynor

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massida

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

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 (“Court”), in the case of *The Prosecutor v. Uhuru Muigai Kenyatta*, pursuant to Regulation 28 of the Regulations of the Court, renders the following Order on submissions regarding the accused’s presence at trial via video link.

1. On 28 February 2013, the defence for Mr Kenyatta (“Defence”) filed a request to the Chamber to permit Mr Kenyatta to be present during the trial via video link from Kenya, as a means of participation in the proceedings on a regular basis.¹
2. On 8 March 2013, the Common Legal Representative for Victims filed a response to the Defence’s request.²
3. The Chamber considers that practical aspects may be of relevance to the issue of whether the accused may be present at trial via video link. The Chamber may thus be assisted by the Registry’s submissions on modalities of a video link, such as the time required to arrange for such a link, a place from which the video link could be made and the reliability of available equipment.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

ORDERS the Registry to file, no later than 9 April 2013, submissions on modalities of a video link, as set out in paragraph 3 above.

¹ Defence Request for Mr Kenyatta to be Present During Trial via Video Link, ICC-01/09-02/11-667.

² Victims’ Response to the “Defence Request for Mr. Kenyatta to be Present During trial via Video Link,” ICC-01/09-02/11-686.

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



Judge Kuniko Ozaki, Presiding Judge



Judge Christine Van den Wyngaert



Judge Chile Eboe-Osuji

Dated 26 March 2013

At The Hague, The Netherlands