

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/09-01/20

Date: 23 April 2021

PRE-TRIAL CHAMBER A (ARTICLE 70)

Before: Judge Reine Adélaïde Sophie Alapini-Gansou

SITUATION IN THE REPUBLIC OF KENYA

IN THE CASE OF

THE PROSECUTOR v. PAUL GICHERU

Public

Amended scheduling Order for the confirmation of charges proceedings

Order 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

Counsel for the Defence
Mr Michael G. Karnavas

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
for Participation/Reparations**

**The Office of Public Counsel
for Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar
Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and
Reparations Section**

Other

PRE-TRIAL CHAMBER A (ARTICLE 70) of the International Criminal Court renders this amended scheduling Order for the confirmation of charges proceedings.

1. On 6 November 2020, the Chamber decided that, pursuant to rule 165(3) of the Rules of Procedure and Evidence (the ‘Rules’), it would make its decision on the confirmation of charges on the basis of written submissions, without a hearing.¹ It further set the calendar for the proceedings, providing the parties with deadlines for their respective filings and submissions.²
2. On 26 February 2021, the Chamber issued the ‘Decision on the postponement of the date of filing of written submissions and other related deadlines for the confirmation of charges proceedings’.³
3. On 12 March 2021, the Chamber received the ‘Prosecution’s submission of the document containing the charges, the list of evidence and related annexes’.⁴
4. On 14 April 2021, the Chamber received the ‘Defence List of Evidence’.⁵
5. On 23 April 2021, the Chamber granted the Defence’s request for an extension of time to file its written submissions and set new dates for the proceedings, postponing the deadlines.⁶
6. The Chamber hereby issues the following scheduling order with the new dates for the proceedings.

¹ [ICC-01/09-01/20-T-001-Red-Eng](#), p. 10 lines 12-19.

² [ICC-01/09-01/20-T-001-Red-Eng](#), p. 11 lines 1-15.

³ [ICC-01/09-01/20-103](#). *See also* Defence, Request for Extension of Time Limits to File the Defence List of Evidence and Response to the Document Containing the Charges, 5 February 2021, ICC-01/09-01/20-96-Conf, together with confidential annexes A, C and D and Public Annex B, a public redacted version was notified on 9 February 2021, *see* [ICC-01/09-01/20-96-Red](#); Prosecution, Prosecution’s Response to the Defence ‘Request for Extension of Time Limits to File the Defence List of Evidence and Response to the Document Containing the Charges’, 8 February 2021, a public redacted version was notified the next day, *see* [ICC-01/09-01/20-97-Red2](#).

⁴ [ICC-01/09-01/20-125](#), together with public [annex C2](#) and confidential annexes A, B, C1, C3 and D.

⁵ [ICC-01/09-01/20-134](#), together with confidential annex A.

⁶ Email from the Chamber, 23 April 2021, at 9:45. *See also* ICC-01/09-01/20-136-Conf, with a confidential annex; ICC-01/09-01/20-137-Conf, with a confidential annex.

SCHEDULING ORDER

- (1) The Prosecution shall complete the disclosure of the evidence by 26 April 2021 at the latest;
- (2) The Prosecution and the Defence shall file their written submissions on 30 April 2021 at the latest;
- (3) The Prosecution shall file a response on 7 May 2021 at the latest;
- (4) The Defence shall file a reply on 17 May 2021 at the latest; and
- (5) The Chamber will issue its Decision on the confirmation of charges within 60 days of receipt of the Defence's reply, in accordance with regulation 53 of the Regulations of the Court.

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



Judge Reine Adélaïde Sophie Alapini-Gansou

Dated 23 April 2021

At The Hague, The Netherlands