

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-01/09-01/20**  
Date: **25 August 2021**

**TRIAL CHAMBER III**

**Before: Judge Miatta Maria Samba**

**SITUATION IN THE REPUBLIC OF KENYA**

**IN THE CASE OF**  
***THE PROSECUTOR v. PAUL GICHERU***

**Public**

**Decision on Request to Reschedule the First Status Conference**

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

**The Office of the Prosecutor**

Mr James Stewart

Mr Anton Steynberg

**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**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and  
Reparations Section**

**Other**

**TRIAL CHAMBER III** of the International Criminal Court, in the case of *The Prosecutor v. Paul Gicheru*, having regard to Regulation 35(2) of the Regulations of the Court, issues this ‘Decision on Request to Reschedule the First Status Conference’.

1. On 17 August 2021, the Chamber issued an order, *inter alia*, scheduling the First Status Conference on 17 September 2021.<sup>1</sup>
2. On 20 August 2021, the Defence submitted a request to reschedule the First Status Conference to 24 September 2021, because of a scheduling conflict (the ‘Request’).<sup>2</sup> It further indicated that the Office of the Prosecutor (the ‘Prosecution’) expressed its non-opposition to the Request.<sup>3</sup>
3. On the same day, the Chamber, via email, requested the Defence to further elaborate on the scheduling conflict.<sup>4</sup> In its response, the Defence informed the Chamber that the Counsel for the Defence made arrangements to deal with matters outside of the Netherlands prior to the scheduling of the First Status Conference.<sup>5</sup>
4. On 24 August 2021, upon request by the Chamber,<sup>6</sup> the Prosecution confirmed that it does not oppose the Defence’s Request.<sup>7</sup>
5. According to the first sentence of Regulation 35(2) of the Regulations of the Court, the Chamber may extend a time limit if good cause is shown. In this specific instance, although the Chamber considers that the Request could benefit from further substantiation, it notes that the Prosecution does not oppose the postponement. In light of this, the Chamber hereby grants the Request, rescheduling the First Status Conference to 24 September 2021.

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<sup>1</sup> [Order Scheduling the First Status Conference](#), ICC-01/09-01/20-162, p. 4.

<sup>2</sup> [Defence’s Request to Reschedule the First Status Conference](#), ICC-01/09-01/20-164.

<sup>3</sup> Request, ICC-01/09-01/20-164, p. 3.

<sup>4</sup> Chamber email to the Defence on 20 August 2021, at 15:40.

<sup>5</sup> Defence email to Trial Chamber III Communications on 20 August 2021, at 18:06.

<sup>6</sup> Chamber email to the Prosecution on 24 August 2021, at 11:00.

<sup>7</sup> Prosecution email to Trial Chamber III Communications on 24 August 2021, at 11:14.

**FOR THESE REASONS, THE CHAMBER HEREBY**

**GRANTS** the Request; and

**RESCHEDULES** the First Status Conference to 24 September 2021.

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

A handwritten signature in blue ink, appearing to read 'Miatta Maria Samba', is written above a horizontal line.

**Judge Miatta Maria Samba**

Dated 25 August 2021

At The Hague, The Netherlands