

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 30 March 2011

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Single Judge

**SITUATION IN THE REPUBLIC OF KENYA
IN THE CASE OF THE PROSECUTOR V. FRANCIS KIRIMI MUTHAURA,
UHURU MUIGAI KENYATTA AND MOHAMMED HUSSEIN ALI**

Public Document

**Decision Authorizing Photographs and Video Recording at the Initial Appearance
Hearing**

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

The Office of the Prosecutor

Luis Moreno-Ocampo, Prosecutor
Fatou Bensouda, Deputy Prosecutor

Defence

Francis Kirimi Muthaura
Uhuru Muigai Kenyatta

Counsel for the Defence

Evans Monari and Gershom Otachi
Bw'omanwa for Mohammed Hussein Ali

Legal Representatives of the Victims

Legal Representatives of the 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

Registrar & Deputy Registrar

Silvana Arbia, Registrar
Didier Preira, Deputy Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Judge Ekaterina Trendafilova, acting as Single Judge on behalf of Pre-Trial Chamber II (the “Chamber”) of the International Criminal Court (the “Court”),¹ issues this decision authorizing video recording and the taking of photographs at the start of the initial appearance hearing.

1. On 8 March 2011, the Chamber, by majority, decided to summon Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali to appear before the Court on Thursday, 7 April 2011 at 14.30 hours.²

2. On 18 March 2011, the Chamber decided that the initial appearance hearing shall be convened on Friday, 8 April 2011 at 14.30 hours.³

3. The Single Judge notes articles 60(1) and 67 of the Rome Statute and regulations 20(1) and 21 of the Regulations of the Court (the “Regulations”).

4. The Single Judge notes in particular, that pursuant to regulation 21(1) of the Regulations, the publicity of hearings may extend beyond the courtroom, and accordingly, she authorizes video recording and the taking of photographs in the courtroom at the start of the initial appearance hearing.

FOR THESE REASONS, THE SINGLE JUDGE HEREBY

authorizes the Registrar to inform external applicants that, at the start of the initial appearance hearing to be held on **Friday, 8 April 2011 at 14.30 hours** and after all the participants have taken their seats, video recording and the taking of photographs will be permitted for no longer than one minute and a half.

¹ Pre-Trial Chamber II, “Decision Designating a Single Judge”, ICC-01/09-02/11-9.

² Pre-Trial Chamber II, “Decision on the Prosecutor’s Application for Summonses to Appear for Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali”, ICC-01/09-02/11-01, p. 23.

³ Pre-Trial Chamber II, “Decision Setting a New Date for the Initial Appearance”, ICC-01/09-02/11-8.

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



Judge Ekaterina Trendafilova
Single Judge

Dated this Wednesday, 30 March 2011

At The Hague, The Netherlands