

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/09-02/11 OA 3

Date: 30 August 2011

THE APPEALS CHAMBER

Before:

**Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Anita Ušacka
Judge Daniel David Ntanda Nsereko**

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 on the Presiding Judge of the Appeals Chamber in the appeal of the
Prosecutor against the decision of Pre-Trial Chamber II entitled “Decision with
Respect to the Question of Invalidating the Appointment of Counsel to the
Defence”**



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

The Office of the Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Fabricio Guariglia

Counsel for Francis Kirimi Muthaura
Mr Karim A. A. Khan
Mr Kennedy Ogeto

REGISTRY

Registrar
Ms Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against the decision of Pre-Trial Chamber II entitled “Decision with Respect to the Question of Invalidating the Appointment of Counsel to the Defence” dated 20 July 2011 and registered on 21 July 2011 (ICC-01/09-02/11-185),


Pursuant to regulation 13 (1) of the Regulations of the Court,

Renders unanimously the following

DECISION

The Presiding Judge in the above-mentioned appeal is Judge Akua Kuenyehia.

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



Judge Anita Ušacka
President of the Appeals Division

Dated this 30th day of August 2011

At The Hague, The Netherlands