

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/09-02/11 OA 4

Date: 31 January 2012

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 Mr Uhuru Muigai Kenyatta and Mr Francis Kirimi Muthaura, under article 82 (1) (a) of the Statute, against the decision of Pre-Trial Chamber II entitled “Decision on the Confirmation of Charges Pursuant to Article 61(7)(a) and (b) of the Rome Statute”

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 Khan
Mr Essa Faal

Counsel for Uhuru Muigai Kenyatta

Mr Steven Kay
Ms Gillian Higgins

REGISTRY

Registrar

Ms Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of Mr Uhuru Muigai Kenyatta and Mr Francis Kirimi Muthaura, under article 82 (1) (a) of the Statute, against the decision of Pre-Trial Chamber II entitled “Decision on the Confirmation of Charges Pursuant to Article 61(7)(a) and (b) of the Rome Statute” of 23 January 2012 (ICC-01/09-02/11-382-Conf),

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 31st day of January 2012

At The Hague, The Netherlands