

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

**No. ICC-01/09-02/11 OA 5  
Date: 27 March 2015**

**THE APPEALS CHAMBER**

**Before:**  
**Judge Silvia Fernández de Gurmendi**  
**Judge Sanji Mmasenono Monageng**  
**Judge Howard Morrison**  
**Judge Piotr Hofmański**  
**Judge Bertram Schmitt**

**SITUATION IN THE REPUBLIC OF KENYA**

**IN THE CASE OF THE PROSECUTOR v. UHURU MUIGAI KENYATTA**

**Public document**

**Decision on the Presiding Judge of the Appeals Chamber in the appeal of the  
Prosecutor against the decision of Trial Chamber V (B) entitled  
“Decision on Prosecution’s application for a finding of non-compliance under  
Article 87(7) of the 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

Ms Helen Brady

**Counsel for the Defence**

Mr Steven Kay

Ms Gillian Higgins

**States Representatives**

Mr Githu Muigai, SC, Attorney General of  
the Republic of Kenya

**REGISTRY**

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**Registrar**

Mr Herman von Hebel



The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor against the decision of Trial Chamber V (B) entitled “Decision on Prosecution’s application for a finding of non-compliance under Article 87(7) of the Statute” of 3 December 2014 (ICC-01/09-02/11-982),

Having before it the “Decision replacing a judge in the Appeals Chamber” dated 26 March 2015 and registered on 27 March 2015 (ICC-01/09-02/11-1007),

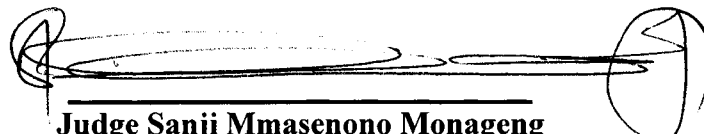
Pursuant to regulation 13 (1) of the Regulations of the Court,

*Renders* the following

## DECISION

The Presiding Judge in the above-mentioned appeal is Judge Silvia Fernandez de Gurmendi.

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



**Judge Sanji Mmasenono Monageng**  
**President of the Division**

Dated this 27<sup>th</sup> day of March 2015

At The Hague, The Netherlands