

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 30 May 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**

**With confidential annexes, *ex parte* only available to the Registry**

**First transmission to the Pre-Trial Chamber of applications to participate in the  
proceedings**

**Source: Registry**

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

**The Office of the Prosecutor**

Mr. Luis Moreno-Ocampo, Prosecutor  
Ms. Fatou Bensouda, Deputy Prosecutor

**Counsel for the Defence**

**Defence of Francis Muthaura**

Karim Ahmad Khan  
Ken Ogetto

**Defence of Uhuru Kenyatta**

Steven Kay, Q.C.

Gill Higgins

**Defence of Mohammed Hussein Ali**

Evans Monari  
Gershom Otachi Bw'Omanwa  
John Philpot

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

Ms. Paolina Massidda

**The Office of Public Counsel for the  
Defence**

**States' Representatives**

**Amicus Curiae**

**REGISTRY**

---

**Registrar**

Ms. Silvana Arbia

**Counsel Support Section**

Mr. Esteban Peralta Losilla

**Deputy Registrar**

Mr. Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

Ms. Fiona McKay

**Other**

**The Registrar of the International Criminal Court (“the Court”);**

**NOTING** article 68(3) of the Rome Statute, rule 89(1) of the Rules of Procedure and Evidence, and regulation 86(5) of the Regulations of the Court;

**NOTING** the Decision on the Prosecutor’s Application for Summons to Appear for Francis Kirihi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali;<sup>1</sup>

**NOTING** the Decision Designating a Single Judge;<sup>2</sup>

**NOTING** the First Decision on Victims’ Participation in the Case (the “First Decision”);<sup>3</sup>

**CONSIDERING** that the Registry has so far received approximately 8 applications for participation which appear to be linked to the present case;

**CONSIDERING** that 4 of those applications have now been processed and redacted in accordance with the orders of the Chamber in its First Decision;

**CONSIDERING** that the Registry will transmit these 4 applications in redacted form to the parties and the legal representatives of the applicants in accordance with the Chamber’s orders in its First Decision;

**CONSIDERING** that the Registry will also prepare and transmit to the Chamber an individual report for each of the applications annexed to this report in accordance with the orders of the Chamber in its First Decision which will be filed separately;

**CONSIDERING** therefore that the remaining applications for participation in the proceedings will be submitted in the coming weeks;

---

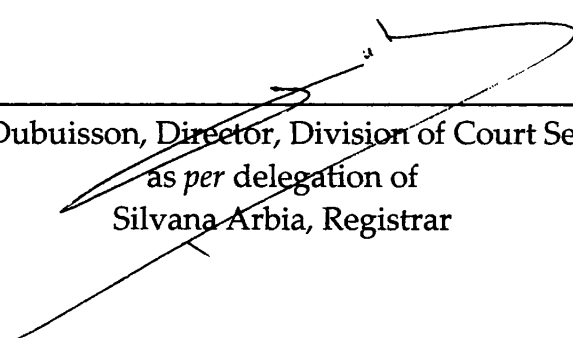
<sup>1</sup> ICC-01/09-02/11-1.

<sup>2</sup> ICC-01/09-02/11-9.

<sup>3</sup> ICC-01/09-02/11-23.

**CONSIDERING** that the applications annexed to the present report contain information which may serve to identify the applicants and for which are classified by the Registry as confidential *ex parte*;

**TRANSMITS** the 4 applications to participate in the proceedings to the Chamber.



\_\_\_\_\_  
Marc Dubuisson, Director, Division of Court Services  
as per delegation of  
Silvana Arbia, Registrar

Dated this 30 May 2011

At The Hague, The Netherlands