

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 5 August 2011

THE APPEALS CHAMBER

Before: Judge Daniel David Ntanda Nsereko, Presiding Judge
Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Anita Ušacka

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

Order

**on the filing of a response to the Republic of Kenya's "Request for an Oral
Hearing Pursuant to Rule 156 (3)"**

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 Kirihi Muthaura

Mr Karim A. A. Khan
Mr Kennedy Ogeto

The Office of Public Counsel for Victims

Paolina Massida

Counsel for Uhuru Muigai Kenyatta

Mr Steven Kay
Ms Gillian Higgins

Counsel for Mohammed Hussein Ali

Mr Gregory Kehoe
Mr Evans Monari

States Representatives

Mr Geoffrey Nice
Mr Rodney Dixon

REGISTRY

Registrar

Ms Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of the Republic of Kenya against the decision of Pre-Trial Chamber II entitled “Decision on the Application by the Government of Kenya Challenging the Admissibility of the Case Pursuant to Article 19(2)(b) of the Statute” of 30 May 2011 (ICC-01/09-02/11-96),

Having before it the “Request for an Oral Hearing Pursuant to Rule 156 (3)”, filed by the Republic of Kenya on 3 August 2011 and registered on 4 August 2011 (ICC-01/09-02/11-210),

Pursuant to regulation 34 of the Regulations of the Court,


Unanimously,

Issues the following

ORDER

The Prosecutor, Mr Muthaura, Mr Kenyatta, Mr Ali and the victims participating in the appeal proceedings may file a response to the “Request for an Oral Hearing Pursuant to Rule 156 (3)” by 16h00 on Thursday, 11 August 2011.

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



Judge Daniel David Ntanda Nsereko

Presiding Judge

Dated this 5th day of August 2011

At The Hague, The Netherlands