

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 2 February 2012

THE APPEALS CHAMBER

Before:

Judge Akua Kuenyehia, Presiding Judge

Judge Sang-Hyun Song

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

**Directions on the submission of observations pursuant to article 19 (3) of the
Rome Statute and rule 59 (3) of the Rules of Procedure and Evidence**

Directions 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

Legal Representative of Victims
Mr Morris Azuma Anyah

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 article 19 (3), second sentence, of the Statute and rule 59 (3) of the Rules of Procedure and Evidence,

Gives the following

DIRECTIONS

- 1) The victims represented by Mr Morris Azuma Anyah pursuant to Pre-Trial Chamber II’s “Decision on Victims’ Participation at the Confirmation of Charges Hearing and in the Related Proceedings” of 26 August 2011 (ICC-01/09-02/11-267) may submit observations on the document in support of the appeal and on the response thereto within five days of the notification of the response or, in the event that no response is filed, the effluxion of the time stipulated for that purpose.
- 2) Mr Kenyatta and Mr Muthaura and the Prosecutor may each file a response to the observations referred to in paragraph 1. These responses may be filed within five days of the notification of the observations.

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



Judge Akua Kuenyehia
Presiding Judge

Dated this 2nd day of February 2012

At The Hague, The Netherlands