



Original: English

**No. ICC-01/09-01/20 OA
Date: 29 December 2020**

THE APPEALS CHAMBER

Before:
Judge Chile Eboe-Osuji
Judge Howard Morrison
Judge Piotr Hofmański
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa

SITUATION IN THE REPUBLIC OF KENYA

IN THE CASE OF THE PROSECUTOR v. PAUL GICHERU

Public document

**Decision on the Presiding Judge of the Appeals Chamber in the appeal of the
Office of Public Counsel for the Defence against the decision of Pre-Trial
Chamber A entitled ‘Decision on the Applicability of Provisional Rule 165 of the
Rules of Procedure and Evidence’**

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

The Office of the Prosecutor
Ms Fatou Bensouda, Prosecutor
Ms Helen Brady

Counsel for the Defence
Mr Michael G. Karnavas

The Office of Public Counsel for the Defence
Mr Xavier-Jean Keïta
Ms Marie O'Leary

REGISTRY

Registrar
Mr Peter Lewis

The Appeals Chamber of the International Criminal Court,

In the appeal of the Office of Public Counsel for the Defence against the decision of Pre-Trial Chamber A entitled 'Decision on the Applicability of Provisional Rule 165 of the Rules of Procedure and Evidence' of 10 December 2020 (ICC-01/09-01/20-61),

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 Howard Morrison.

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



Judge Howard Morrison
President of the Appeals Division

Dated this 29th day of December 2020

At The Hague, The Netherlands