

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-01/09-01/20**  
Date: **20 October 2021**

**THE PLENARY OF JUDGES  
OF THE INTERNATIONAL CRIMINAL COURT**

**SITUATION IN THE REPUBLIC OF KENYA**

**IN THE CASE OF  
*THE PROSECUTOR V. PAUL GICHERU***

**Public**

**Decision on the ‘Request for the Disqualification of Judge Miatta Maria Samba’  
dated 17 September 2021 (ICC-01/09-01/20-173-Conf)**

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

**The Office of the Prosecutor**

Mr James Stewart  
Mr Anton Steynberg

**Counsel for Defence**

Mr Michael G. Karnavas

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants**

**The Office of Public Counsel for Victims**

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

**States' Representatives**

**Other**

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

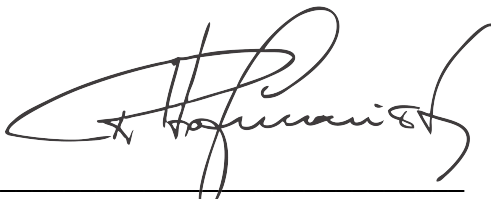
All Judges  
Trial Chamber III

The plenary of judges of the International Criminal Court notes that, on 17 September 2021, Mr Paul Gicheru filed a request seeking the disqualification of Judge Samba from Trial Chamber III adjudicating the case of *The Prosecutor v. Paul Gicheru* (the ‘Application’).<sup>1</sup>

The plenary of judges was convened on 19 October 2021 to consider the Application.

The plenary of judges, acting unanimously, denies the Application. A reasoned decision of the plenary of judges will follow.

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



**Judge Piotr Hofmański**  
**President**

Dated this 20 October 2021

At The Hague, The Netherlands

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<sup>1</sup> Defence for Mr Gicheru, *The Prosecutor v. Paul Gicheru*, Request for the Disqualification of Judge Miatta Maria Samba, 17 September 2021, ICC-01/09-01/20-173-Conf; a public redacted version of the Application was filed on 22 September 2021, ICC-01/09-01/20-173-Red.