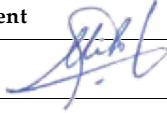


Annex I

Internal memorandum
Memorandum interne

To À	Judge Piotr Hofmański, President Judge Luz del Carmen Ibáñez Carranza, First Vice-President	From De	Judge Antoine Kesia-Mbe Mindua, Second Vice-President
Date	9 June 2022	Through Via	
Ref.	2022/PRES/00095	Copies	
Subject Objet	Request for excusal in connection with the "Motion Seeking Remedies for Repeated Administrative Violations"		

CONFIDENTIAL

Pursuant to article 41(1) of the Rome Statute and rule 33(1) of the Rules of Procedure and Evidence ('Rules'), I hereby request to be excused from any functions of the Presidency in respect of the 'Motion Seeking Remedies for Repeated Administrative Violations' dated 28 January 2022, filed by Legal Representatives of Victims and transmitted to the Presidency by the Registry on 4 March 2022 in the situation in the Islamic Republic of Afghanistan (the 'Motion').¹

I note that on several occasions, the Motion directly asks the Presidency to declare invalid certain acts performed by Pre-Trial Chamber II.² As a member of Pre-Trial Chamber II, I participated in the decision-making at the pre-trial level which now underlies the claim before the Presidency. In view of this, I would like to request excusal from the Presidency, for the limited purpose of considering this Motion, to ensure the appearance of impartiality.

Pursuant to rule 33(2) of the Rules, I make this request on a confidential basis, however, I hereby provide my full consent for this request and the Presidency's eventual decision thereon to be made public, at the discretion of the Presidency.

¹ Legal Representatives of Victims, Situation in the Islamic Republic of Afghanistan, Motion Seeking Remedies for Repeated Administrative Violations, 4 March 2022, ICC-02/17-183-Conf-Anx1, annexed to Registry, Situation in the Islamic Republic of Afghanistan, Registry Transmission of a Document submitted before the Presidency, dated 28 January 2022, 4 March 2022, ICC-02/17-183.

² See e.g. Motion, paras. 8 (vii), 31-34, 35(i), (ii), (iv).