

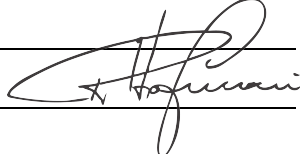
Annex II



Cour
Pénale
Internationale
International
Criminal
Court

La Présidence
The Presidency

Internal memorandum
Memorandum interne

To À	Judge Mindua, Second Vice-President	From De	Ad hoc Presidency
Date	14 June 2022	Through Via	
Ref.	2022/PRES/000095-02	Copies	
Subject Objet	Decision on your request of 9 June 2022 to be excused from the Presidency		

The *ad hoc* Presidency, composed of Judges Piotr Hofmański, Luz del Carmen Ibáñez Carranza and Marc Perrin de Brichambaut has before it your request of 9 June 2022, in which you request to be excused from decision-making within the Presidency in respect of a motion currently before it in connection with the *Afghanistan* situation.¹

Article 41(1) of the Statute provides, that the 'Presidency may, at the request of a judge, excuse that judge from the exercise of a function, under this Statute, in accordance with the Rules of Procedure and Evidence'.

The motion alleges that Pre-Trial Chamber II violated the Court's administrative rules and regulations in the *Afghanistan* situation. Noting that you are a member of Pre-Trial Chamber II, the *ad hoc* Presidency considers that there is an evident risk of an appearance of a lack of impartiality to determine the latter. Consequently, your request for excusal from your functions in the Presidency in connection with the motion is granted.

¹ 2022/PRES/000095; *Situation in the Islamic Republic of Afghanistan*, Motion Seeking Remedies for Repeated Administrative Violations, 28 January 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. The document is dated 28 January 2022, but was formally filed before the Presidency, at the instruction of the latter, on 4 March 2022.