

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/09

Date: 9 February 2011

**PRE-TRIAL CHAMBER II**

**Before:** Judge Ekaterina Trendafilova, Presiding Judge  
Judge Hans-Peter Kaul  
Judge Cuno Tarfusser

**SITUATION IN THE REPUBLIC OF KENYA**

**Confidential**

**Ex parte only available to the Registry**

**With Annex A Confidential ex parte only available to the Registry**

**Transmission by the Registry of the "Corrigendum to the "Application for Leave to Participate in the Proceedings before the Pre-Trial Chamber concerning the Prosecutor's Application under Article 58(7)" submitted on 9 February 2011**

**Source:** The Registrar

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

**The Office of the Prosecutor**

**Counsel for the Defence**

**Legal Representatives of the Victims**

**Legal Representatives of the Applicants**

**Unrepresented Victims**

**Unrepresented Applicants  
(Participation/Reparation)**

**The Office of Public Counsel for  
Victims**

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

**States' Representatives**

**Amicus Curiae**

## **REGISTRY**

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**Registrar**

Ms Silvana Arbia

**Deputy Registrar**

Mr Didier Preira

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

Ms Charlotte Dahuron-Jacoby

**The REGISTRAR of the International Criminal Court (the "Court");**

**NOTING** the *"Prosecutor's Application Pursuant to Article 58 as to Francis Kirimi Muthaura, Uhuru Muigai Kenyatta and Mohammed Hussein Ali"* submitted by the Prosecutor on 15 December 2010 (the "Prosecutor's Application");<sup>1</sup>

**NOTING** the *"Transmission by the Registry of an "Application for Leave to Participate in the Proceedings before the Pre-Trial Chamber relating to the Prosecutor's Application under Article 58(7)" submitted on 20 January 2011"* along with its two annexes containing the Application of 20 January 2011 submitted on 21 January 2011 (the "Transmission by the Registry of 21 January 2011");<sup>2</sup>

**NOTING** rule 13(1) of the Rules of Procedure and Evidence ("RPE"), regulation 23bis of the Regulations of the Court ("RoC"), regulation 21(2) of the Regulations of the Registry ("RoR");

**CONSIDERING** that, on 9 February 2011 at 10h41, the Counsel for Mohammed Hussein Ali (the "Applicant") communicated electronically to the Registry a corrigendum of the "Application for Leave to Participate in the Proceedings before the Pre-Trial Chamber concerning the Prosecutor's Application under Article 58(7)" (the "Corrigendum of the Application") filed before the Pre-Trial Chamber II (the "Chamber") on 21 January 2011;

**CONSIDERING** that the Transmission by the Registry of 21 January 2011 was filed in the record of the situation as confidential *ex parte* only available to the Registry;

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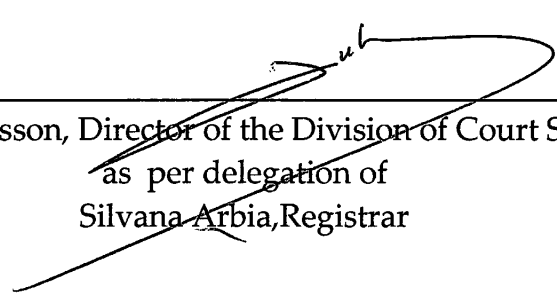
<sup>1</sup> ICC-01/09-31-Conf-Exp

<sup>2</sup> ICC-01/09-37-Conf-Exp + Annexes A and B

**SUBMITS** therefore the present document as confidential *ex parte* only available to the Registry;

**TRANSMITS** respectfully to the Chamber in annex A, the Corrigendum of the Application;

**INFORMS** that should the Chamber deem it necessary, the Registry remains at its disposal to reclassify the present document as well as the Transmission by the Registry of 21 January 2011.



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Marc Dubuisson, Director of the Division of Court Services  
as per delegation of  
Silvana Arbia, Registrar

Dated this 9 February 2011

At The Hague in The Netherlands