

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/09-01/11 OA

Date: 7 June 2011

THE APPEALS CHAMBER

Before:

**Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Anita Ušacka
Judge Daniel David Ntanda Nsereko**

SITUATION IN THE REPUBLIC OF KENYA

**IN THE CASE OF THE PROSECUTOR v. WILLIAM SAMOEI RUTO,
HENRY KIPRONO KOSGEY AND JOSHUA ARAP SANG**

Public document

**Decision on the Presiding Judge of the Appeals Chamber in the appeal of the
Republic of Kenya against the decision of Pre-Trial Chamber II entitled
“Decision on the Application by the Government of Kenya Challenging the
Admissibility of the Case Pursuant to Article 19(2)(b) of the Statute”**

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

The Office of the Prosecutor

Ms Fatou Bensouda, Deputy Prosecutor
Mr Fabricio Guariglia

Counsel for William Samoei Ruto

Mr Joseph Kipchumba Kigen-Katwa
Mr David Hooper
Mr Kioko Kilukumi Musau

Counsel for Henry Kiprono Kosgey

Mr George Odinga Oraro

Counsel for Joshua Arap Sang

Mr Joseph Kipchumba Kigen-Katwa

States Representatives

Mr Geoffrey Nice
Mr Rodney Dixon

REGISTRY

Registrar

Ms Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of the Republic of Kenya against the decision of Pre-Trial Chamber II entitled “Decision on the Application by the Government of Kenya Challenging the Admissibility of the Case Pursuant to Article 19(2)(b) of the Statute” of 30 May 2011 (ICC-01/09-01/11-101),

Pursuant to regulation 13 (1) of the Regulations of the Court,

Renders unanimously the following

DECISION

The Presiding Judge in the above-mentioned appeal is Judge Daniel David Ntanda Nsereko.

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



Judge Anita Ušacka
President of the Appeals Division

Dated this 7th day of June 2011

At The Hague, The Netherlands