

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-02/11

Date: 28 November 2012

TRIAL CHAMBER V

Before: Judge Kuniko Ozaki, Presiding Judge
Judge Christine Van den Wyngaert
Judge Chile Eboe-Osuji

SITUATION IN THE REPUBLIC OF KENYA

***IN THE CASE OF
THE PROSECUTOR V. FRANCIS KIRIMI MUTHAURA AND UHURU MUIGAI
KENYATTA***

**Public,
with public Annex A**

Prosecution's Submission of the Charges against Francis Kirimi Muthaura and Uhuru Muigai Kenyatta pursuant to Trial Chamber V's Order ICC-01/09-02/11-536

Source: Office of the Prosecutor

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

Court to:

The Office of the Prosecutor

Fatou Bensouda
Adesola Adeboyejo

Counsel for Francis Kirimi Muthaura

Karim A. Khan QC, Essa Faal, Kennedy
Ogetto, Shyamala Alagendra

Counsel for Uhuru Muigai Kenyatta

Steven Kay QC and Gillian Higgins

Legal Representatives of Victims

Fergal Gaynor

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

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Section**

Other

1. In its “Order regarding the content of the charges” (“Order”) issued on 20 November 2012,¹ the Trial Chamber directed the Prosecution to submit a modified “Charges” section of the Updated Document Containing the Charges (“Updated DCC”), with the following guidelines:
 - a. all (but no more than) the “facts and circumstances described in the charges” should be presented separately for each count;
 - b. any “facts and circumstances” added to the Charges section should be based upon allegations already contained in other sections of the Updated DCC and should retain the original wording of those allegations;
 - c. the Counts should be numbered consecutively.
2. The Prosecution hereby submits, in public Annex A, the Charges section of the Prosecution’s Updated DCC,² modified in accordance with the Chamber’s Order.



Fatou Bensouda
Prosecutor

Dated this 28th of November 2012
At The Hague, The Netherlands

¹ ICC-01/09-02/11-536, page 9.

² ICC-01/09-02/11-468-Conf-AnxA.