

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/09-02/11
Date: 23 January 2014

TRIAL CHAMBER V(B)

Before: Judge Kuniko Ozaki, Presiding Judge
Judge Robert Fremr
Judge Chile Eboe-Osuji

SITUATION IN THE REPUBLIC OF KENYA

**IN THE CASE OF
THE PROSECUTOR *v.* UHURU MUIGAI KENYATTA**

**Under seal, *ex parte*, Prosecution and Common Legal Representative of Victims
only**

**Decision regarding request for access to information concerning steps taken to
identify, trace, freeze or seize assets**

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Benjamin Gumpert

Counsel for Uhuru Muigai Kenyatta

Legal Representatives of Victims

Mr Fergal Gaynor

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Trial Chamber V(B) ('Chamber') of the International Criminal Court in the case of *The Prosecutor v. Uhuru Muigai Kenyatta*, pursuant to Article 64(6) of the Rome Statute, renders the following 'Decision regarding request for access to information concerning steps taken to identify, trace, freeze or seize assets'.

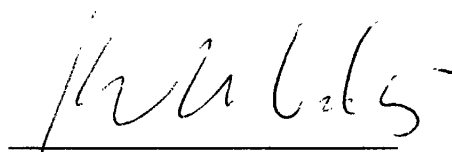
1. On 22 October 2013, the Office of the Prosecutor notified the Chamber, by way of an under seal *ex parte* filing,¹ that it had received an e-mail dated 7 October 2013 from the Common Legal Representative of Victims ('Legal Representative') inquiring 'about efforts by the Prosecution and orders by the Pre-Trial Chamber or by the Trial Chamber to identify, trace, freeze or seize the assets of Mr Kenyatta'.
2. The Chamber considers it appropriate for the Legal Representative to apply to the Chamber directly with any request for access to filings which may relate to steps taken to identify, trace, freeze or seize assets of the accused in this case. Any such application should explain the purpose of such inquiry and the legal basis supporting the existence of a legitimate interest in the information in question.

FOR THE FOREGOING REASONS, THE CHAMBER HEREBY

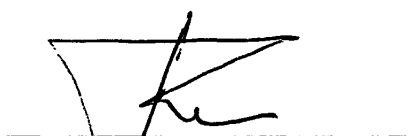
INVITES the Legal Representative to apply to the Chamber directly with a request for access to any relevant filings in this case which may relate to steps taken to identify, trace, freeze or seize assets of the accused, in accordance with the directions contained in paragraph 2 above.

¹ ICC-01/09-02/11-831-US-Exp.

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



Judge Kuniko Ozaki, Presiding Judge


Judge Robert Fremr
Judge Chile Eboe-Osuji

Dated this 23 January 2014

At The Hague, The Netherlands