

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04
Date: 11 November 2010

THE PRESIDENCY

Before: Judge Sang-Hyun Song, President
Judge Fatoumata Dembele Diarra, First Vice-President
Judge Hans-Peter Kaul, Second Vice-President

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public

Notification of decisions on requests for excusal

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

The Office of the Prosecutor
Mr Luis Moreno-Ocampo
Ms Fatou Bensouda

Counsel for the Defence

Legal Representatives of the Victims

Legal Representatives of the 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

REGISTRY

Registrar
Ms Silvana Arbia

Defence Support Section

Deputy Registrar
Mr Didier Preira

Detention Section

**Victims Participation and Reparations
Section**

Other
Appeals Chamber

The Presidency of the International Criminal Court;

Having before it the request of Judge Anita Ušacka entitled “Request to be Excused” dated 16 February 2010,¹ seeking excusal from participating in a reclassification exercise in the appellate record of the first interlocutory appeal in the situation in the Democratic Republic of the Congo (hereinafter “situation”), which related to the case of the *Prosecutor v. Bosco Ntaganda* (hereinafter “case”);

Having before it the request of Judge Akua Kuenyehia entitled “Request for recusal pursuant to article 41(1) of the Statute and rule 33 of the Rules of Procedure and Evidence” dated 18 February 2010,² seeking excusal from the aforementioned reclassification exercise and from all future appeals in the case;

Noting its decisions of 24 September 2010 in which the Presidency denies the aforementioned requests;³

Noting that both Judges Ušacka and Kuenyehia have indicated that they have no objection to the publication of the Presidency’s aforementioned decisions;⁴

Hereby

Orders the Registrar to notify this order and its annexes to the relevant parties and participants in the situation.

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



Judge Sang-Hyun Song
President

Dated this 11 November 2010

At The Hague, The Netherlands

¹ Annex 1.

² Annex 2.

³ Annexes 3 and 4.

⁴ Annexes 2 and 5.