

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **French**

No.: **ICC-01/04**  
Date: **14 March 2006**

**PRE-TRIAL CHAMBER I**

**Before:** Judge Claude Jorda, Presiding Judge  
Judge Akua Kuenyehia  
Judge Sylvia Steiner

**Registrar:** Mr Bruno Cathala

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO  
IN THE CASE OF  
THE PROSECUTOR v. THOMAS LUBANGA DYILO**

**Under Seal**

**DECISION DESIGNATING A SINGLE JUDGE**

**The Office of the Prosecutor**

Mr Luis Moreno-Ocampo

Ms Fatou Bensouda

Mr Ekkehard Withopf

**PRE-TRIAL CHAMBER I** (the “Chamber”) of the International Criminal Court (the “Court”);

**NOTING** the decision issued by the Presidency on 5 July 2004 assigning the situation in the Democratic Republic of the Congo (the “DRC”) to Pre-Trial Chamber I;<sup>1</sup>

**NOTING** the decision issued by Pre-Trial Chamber I on 10 February 2006 (the “Decision”), whereby the Chamber decided to issue a warrant of arrest against Mr Thomas Lubanga Dyilo;<sup>2</sup>

**NOTING** the Warrant of Arrest issued against Mr Thomas Lubanga Dyilo by the Chamber on 10 February 2006;<sup>3</sup>

**NOTING** that the Decision marks the start of the case against Mr Thomas Lubanga Dyilo;<sup>4</sup>

**NOTING** article 39 (2) (b) (iii) of the Rome Statute (the “Statute”), pursuant to which the functions of the Pre-Trial Chamber shall be carried out either by three judges of the Pre-Trial Division or by a single judge of that division in accordance with the Statute and the Rules of Procedure and Evidence;

**NOTING** article 57 (2) (b) of the Statute, pursuant to which a single judge of the Pre-Trial Chamber may exercise the functions provided for in the Statute, unless

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<sup>1</sup> ICC-01/04-1-tFR.

<sup>2</sup> ICC-01/04-01/06-8-US-tFR.

<sup>3</sup> ICC-01/04-01/06-2-US.

<sup>4</sup> Decision, para. 93-96.

otherwise provided for in the Rules of Procedure and Evidence or a by decision to the contrary by a majority of the Pre-Trial Chamber;

**NOTING** rule 7 (1) of the Rules of Procedure and Evidence and regulation 47 (1) of the Regulations of the Court, pursuant to which the designation of a single judge shall be based on criteria agreed upon by the Pre-Trial Chamber, including seniority of age and criminal trial experience;

**CONSIDERING** that at this stage of the proceedings relating to the case against Mr Thomas Lubanga Dyilo in the situation in the DRC, the designation of a single judge will make it possible for the Chamber to function appropriately and effectively;

**FOR THESE REASONS**

**DECIDES** to designate Judge Steiner as single judge of Pre-Trial Chamber I, which has been assigned the case against Mr Thomas Lubanga Dyilo in the situation in the DRC, from 15 until 22 March 2006 at 12.00 hours;

**DECIDES** that subject to article 57 (2) (a) of the Statute, the functions of Pre-Trial Chamber I relating to the case against Mr Thomas Lubanga Dyilo in the situation in the DRC shall be exercised by the single judge from 15 until 22 March at 12.00 hours.

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

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**Judge Claude Jorda**  
**Presiding Judge**

*[Electronic signature]*

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**Judge Akua Kuenyehia**

*[Electronic signature]*

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**Judge Sylvia Steiner**

Dated this Tuesday 14 March 2006

At The Hague

The Netherlands

*[Seal of the Court]*