Cour Pénale Internationale



# International Criminal Court

Original: English No.:ICC-Pres-01/08

Date: 29 August 2008

### THE PRESIDENCY

Before: Judge Philippe Kirsch, President

Judge Akua Kuenyehia, First Vice-President Judge René Blattmann, Second Vice-President

## **Public Document**

Decision replacing a judge in the Appeals Chamber

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

The Office of the Prosecutor

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

Ms Paolina Massidda

The Office of Public Counsel for the Defence

Mr Xavier-Jean Keïta

### **REGISTRY**

Registrar

Ms Silvana Arbia

**Defence Support Section** 

Mr Esteban Peralta Losilla

Victims and Witnesses Unit

Mr Simo Vaatainen

**Detention Section**Mr Anders Backman

Victims Participation and Reparations

Section

Ms Fiona Mckay

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THE PRESIDENCY of the International Criminal Court (the "Court");

**NOTING** the resignation from the Court of Judge Pillay;<sup>1</sup>

NOTING that Judge Pillay was a member of the Appeals Chamber;

CONSIDERING the composition of the Appeals Chamber as set out in article 39(2)(b)(i) of the Rome Statute of the International Criminal Court ("the Statute"), pursuant to which the Appeals Chamber shall be composed of all of the judges of the Appeals Division, which in turn is composed of the President and four other judges, by virtue of article 39(1) of the Statute;

**CONSIDERING** rule 38 of the Rules of Procedure and Evidence, providing for the replacement of judges, and regulation 15 of the Regulations of the Court, pursuant to which the Presidency is responsible for the replacement of judges;

#### **HEREBY DECIDES:**

(i) That Judge Daniel Nsereko shall replace Judge Pillay in the Appeals Chamber with effect from 1 September 2008, and;

(ii) That the Appeals Chamber shall hereby be composed as follows:

Judge Philippe Kirsch

Judge Georghios M. Pikis

Judge Sang-Hyun Song

Judge Erkki Kourula

Judge Daniel Nsereko

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<sup>&</sup>lt;sup>1</sup> See press release of 30 July 2008, ICC-CPI-20080730-PR344-ENG. Judge Pillay's resignation from the Court takes effect on 31 August 2008.

**ORDERS** the Registrar to file and notify this decision to the relevant parties and participants in the situations and cases currently before the Court.

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

Judge Philippe Kirsch President

Dated this 29 August 2008 At The Hague, The Netherlands