

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/05  
Date: 21 July 2009

**PRE-TRIAL CHAMBER I**

**Before:** Judge Sylvia Steiner, Presiding Judge  
Judge Sanji Mmasenono Monageng  
Judge Cuno Tarfusser

**SITUATION IN DARFUR, SUDAN**

**Public Document**

**Decision on the Temporary Replacement of the Single Judge for the Period of 22  
July to 17 August 2009**

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

**The Office of the Prosecutor**  
Mr Luis Moreno Ocampo  
Mr. Essa Faal

**Counsel for the Defence**  
Mr. Karim A.A. Khan

**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**

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**Registrar & Deputy Registrar**  
Ms. Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

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

**NOTING** the “Decision on the Designation of a Single Judge of Pre-Trial Chamber I” of 26 March 2009 (the “26 March 2009 Decision”), designating Judge Cuno Tarfusser as Single Judge responsible for carrying out the functions of the Chamber, subject to article 57(2)(a) of the Statute of the Court (the “Statute”), in relation to the situation in Darfur, Sudan and any cases emanating therefrom, including the cases of *The Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman Kushayb* (the “Harun and Kushayb case”); *The Prosecutor v. Omar Hassan Ahmad Al Bashir* (the “Al Bashir case”); and *The Prosecutor v. Bahar Idriss Abu Garda* (the “Abu Garda case”);<sup>1</sup>

**NOTING** articles 39(2)(iii) and 57(2)(b) of the Statute, rules 7(1), 121 and 122 of the Rules of Procedure and Evidence and Regulation 47(1) of the Regulations of the Court (the “Regulations”);

**NOTING** that, in particular, regulation 47(1) of the Regulations makes the designation of a single judge dependant upon a number of criteria, including the circumstances of the proceedings before the Chamber and the proper management and efficiency in the handling of cases;

**CONSIDERING** that at this stage of the proceedings in the situation in Darfur, Sudan and in the cases emanating therefrom, including the Harun and Kushayb case; the Al Bashir case; and the Abu Garda case, the replacement by Judge Sylvia Steiner of the single judge appointed by the 26 March 2009 Decision for the period of 22 July to 17 August 2009 will ensure the proper management and efficiency in the handling of cases;

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<sup>1</sup> ICC-02/05-01/09-16

**HAVING REGARD THERETO AND FOR THESE REASONS, THE CHAMBER  
HEREBY:**

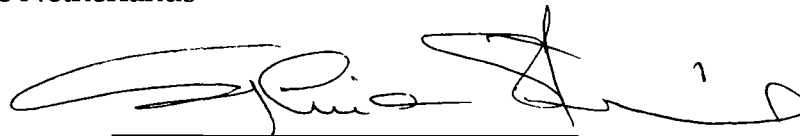
**DECIDES** to designate Judge Sylvia Steiner as single judge for the situation in Darfur, Sudan and any cases emanating therefrom, including the Harun and Kushayb case; the Al Bashir case; and the Abu Garda case, for the period of 22 July to 17 August 2009.

**DECIDES** that, as from 17 August 2009, Judge Cuno Tarfusser will resume his functions as single judge responsible for carrying out the functions of the Chamber, subject to article 57(2)(a) of the Statute, in relation to the situation in Darfur, Sudan and any cases emanating therefrom, including the Harun and Kushayb case; the Al Bashir case; and the Abu Garda case, in accordance with the 26 March 2009 Decision.

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

Dated this Tuesday, 21 July 2009

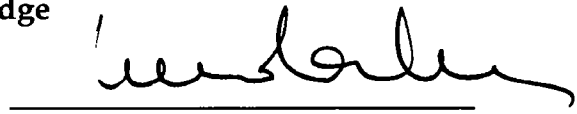
At The Hague, The Netherlands



**Judge Sylvia Steiner**  
Presiding Judge



**Judge Sanji Mmasenono Monageng**



**Judge Cuno Tarfusser**