Cour Pénale Internationale



International Criminal Court

Original . English

No.: ICC-02/05-01/07 Date 19 August 2009

PRE-TRIAL CHAMBER I

Before:

Judge Sylvia Steiner – Presiding Judge Judge Sanji Mmasenono Monageng Judge Cuno Tarfusser

SITUATION IN DARFUR, SUDAN

IN THE CASE OF THE PROSECUTOR v. AHMAD MUHAMMAD HARUN ("AHMAD HARUN") and ALI MUHAMMAD AL ABD-AL-RAHMAN ("ALI KUSHAYB")

Public Document

Decision on the Designation of a Single Judge on Victims' Issues

N° ICC-02/05-01/07

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

Court, to **Counsel for the Defence** The Office of the Prosecutor Mr Luis Moreno-Ocampo Mr Essa Faal Legal Representatives of Applicants Legal Representatives of Victims **Unrepresented Applicants for Unrepresented Victims** Participation/Reparation The Office of Public Counsel for the The Office of Public Counsel for Defence Victims Ms Paolina Massidda **Amicus Curiae States Representatives** REGISTRY **Deputy Registrar** Registrar Ms Silvana Arbia **Detention Section** Victims and Witnesses Unit Others **Victims Participation and Reparations** Section Ms Fiona Mckay

Nº ICC-02/05-01/07

2/5

19 August 2009

PRE-TRIAL CHAMBER I (the "Chamber") of the International Criminal Court (the "Court");

NOTING articles 39(2)(b)(iii) and 57(2)(b) of the Statute of the Court (the "Statute"), rule 7(1) of the Rules of Procedure and Evidence (the "Rules") and regulation 47(1) and (2) of the Regulations of the Court (the "Regulations");

CONSIDERING that, pursuant to article 39(2)(b)(111) of the Statute, 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;

CONSIDERING that pursuant to article 57(2)(b) of the Statute, in all cases other than those listed in article 57(2)(a) of the Statute, a single judge of the Pre-Trial Chamber may exercise the functions provided for in the Statute, unless otherwise provided for in the Rules or by a majority of the Pre-Trial Chamber,

CONSIDERING that rule 7(1) of the Rules and regulation 47(1) of the Regulations establish that the designation of a single judge shall be based on objective criteria agreed upon by the Pre-Trial Chamber, including consideration of the issues involved, the circumstances of the proceedings before the Chamber, the distribution of work within the Chamber and the proper management and efficiency in the handling of cases,

N° ICC-02/05-01/07

19 August 2009

CONSIDERING further that regulation 47(2) of the Regulations provides that the Pre-Trial Chamber may designate more than one single judge when the efficient management of the workload of the Chamber so requires,

CONSIDERING that, in light of the above mentioned criteria, in particular the distribution of work within the Chamber and the proper management and efficiency in the handling of the proceedings before the Chamber, it is appropriate to designate Judge Sanji Mmasenono Monageng as Single Judge responsible for all issues related to victims' applications to be authorized to participate as victims in the proceedings relating to the case of *the Prosecutor v Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman Kushayb* (the "Harun and Kushayb case"),

FOR THESE REASONS,

DECIDES to appoint Judge Sanji Mmasenono Monageng as Single Judge responsible for all issues related to victims' applications to be authorized to participate as victims in the proceedings relating to the Harun and Kushayb case

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

Judge Sylvia Steiner

Presiding Judge

Judge Sanji Mmasenono Monageng

Judge Cuno Tarfusser

Dated this Wednesday, 19 August 2009

At The Hague, The Netherlands