

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04
Date: 25 October 2010

PRE-TRIAL CHAMBER I

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

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public Document

Decision on the designation of a Single Judge of Pre-Trial Chamber I

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, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of 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

States Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Ms Maria Luisa Martinod-Jacome

Detention Section

Mr Anders Backman

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Others

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

NOTING the “Decision on the designation of a Single Judge of Pre-Trial Chamber”¹ issued by the Chamber on 26 July 2010, whereby Judge Sanji Mmasenono Monageng was appointed, until otherwise decided, as Single Judge of Pre-Trial Chamber I responsible for carrying out the functions of the Chamber, subject to article 57(2)(a) of the Rome Statute (“the Statute”), in relation to the situation in the Democratic Republic of the Congo (“the DRC”) and any case emanating therefrom;

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

CONSIDERING that, pursuant to article 39(2)(b)(iii) 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

¹ ICC-01/04-569.

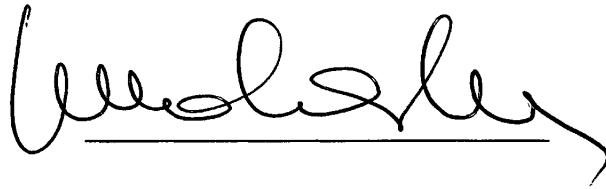
circumstances of the proceedings before the Chamber, the distribution of work within the Chamber and the proper management and efficiency in the handling of cases;

CONSIDERING that in light of the above mentioned criteria and in order to, in particular, ensure the efficient and uninterrupted handling of the proceedings in case of unavailability of the Single Judge, it is appropriate to designate Judge Cuno Tarfusser as Single Judge responsible for carrying out the functions of the Chamber in relation to the proceedings of the situation in the DRC and any case emanating therefrom, for each time of unavailability of Single Judge Sanji Mmasenono Monageng;

THE CHAMBER HEREBY,

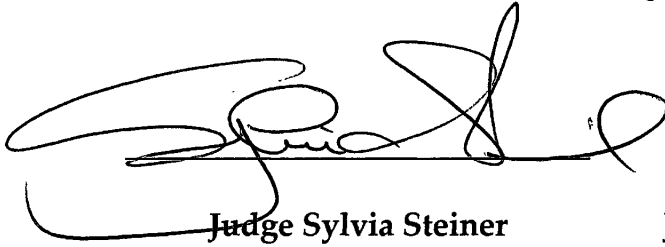
- (i) decides to appoint Judge Cuno Tarfusser as Single Judge of Pre-Trial Chamber I responsible for carrying out the functions of the Chamber subject to article 57(2)(a) of the Statute, in relation to the situation in the DRC and any case emanating therefrom, for each time of unavailability of Single Judge Sanji Mmasenono Monageng;
- (ii) orders the Registrar to file this decision in the record of the situation in DRC and any case emanating therefrom.

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

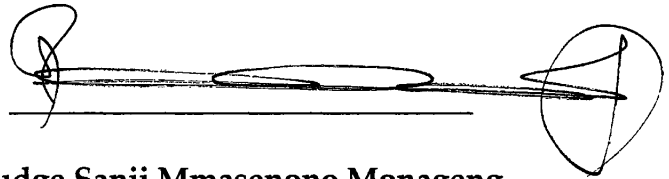


Judge Cuno Tarfusser

Presiding Judge



Judge Sylvia Steiner



Judge Sanji Mmasenono Monageng

Dated this Monday 25 October 2010

At The Hague, The Netherlands

