

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



Original: **French**

No.: **ICC-01/04**  
Date: **23 March 2018**

**PRE-TRIAL CHAMBER I**

**Before:** Judge Péter Kovács, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Reine Adélaïde Sophie Alapini-Gansou

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

**Public Document**

**Decision Designating a Single Judge**

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

**Office of the Prosecutor**

Ms Fatou Bensouda

Mr James Stewart

**Counsel for the Defence**

**Legal Representatives of Victims**

**Office of Public Counsel for Victims**

**REGISTRY**

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**Registrar**

Mr Herman von Hebel

**Counsel Support Section**

Mr Esteban Peralta

**Victims and Witnesses Section**

**Detention Section**

Mr Paddy Craig

**Victims Participation and Reparations  
Section**

**Other**

Mr Philipp Ambach

**PRE-TRIAL CHAMBER I** (“Chamber”) of the International Criminal Court (“Court”), seized of the situation in the Democratic Republic of the Congo (“situation in the DRC”), decides the following.

1. On 16 March 2018, the Presidency of the Court constituted this Chamber and assigned to it the situation in the DRC, among others.<sup>1</sup>
2. On 21 March 2018, the Judges of Pre-Trial Chamber I elected Judge Péter Kovács Presiding Judge of the Chamber.<sup>2</sup>
3. The Chamber notes that article 39(2)(b)(iii) of the Rome Statute (“Statute”) lays down that 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 (“Rules”).
4. The Chamber also notes 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,<sup>3</sup> 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.
5. The Chamber notes in addition that rule 7(1) of the Rules and regulation 47(1) of the Regulations of the Court 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.
6. In the light of the above-mentioned criteria, in particular the new constitution of the Chamber and the need to ensure proper management and efficiency in the handling of the proceedings before the Chamber, it is appropriate to designate Judge

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<sup>1</sup> ICC-Pres-01/18.

<sup>2</sup> “Decision on the Election of the Presiding Judge”, 21 March 2018, ICC-01/04-747-tENG.

<sup>3</sup> Article 57(2)(a) of the Statute refers to decisions handed down by the Pre-Trial Chamber pursuant to articles 15, 18, 19, 54 paragraph 2, 61 paragraph 7, and 72 of the Statute.

Péter Kovács as Single Judge responsible for carrying out the functions of the Chamber in the situation in the DRC.

**FOR THESE REASONS, THE CHAMBER**

**DECIDES** to designate, until further notice, Judge Péter Kovács 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

**ORDERS** the Registrar to file this decision in the record of the situation in the DRC.

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

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[signed]

**Judge Péter Kovács**  
**Presiding Judge**

\_\_\_\_\_  
[ signed]

**Judge Marc Perrin de Brichambaut**

\_\_\_\_\_  
[signed]

**Judge Reine Adélaïde Sophie**  
**Alapini-Gansou**

Dated this 23 March 2018

At The Hague, Netherlands