



Original: **French**

No.: **ICC-01/12-01/18**

Date: **28 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 REPUBLIC OF MALI

**IN THE CASE OF
*THE PROSECUTOR v. AL HASSAN AG ABDOUL AZIZ AG MOHAMED AG
MAHMOUD***

Under Seal

***EX PARTE* Prosecutor and Registrar only**

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

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparations**

States' Representatives

**Office of Public Counsel for the
Defence**

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Section

Mr Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Other

PRE-TRIAL CHAMBER I (“Chamber”) of the International Criminal Court (“Court”), seized in the case of *The Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud* (“Al Hassan case”), decides the following.

1. On 21 March 2018, the Judges of Pre-Trial Chamber I elected Judge Péter Kovács as Presiding Judge of the Chamber.¹
2. On 27 March 2018, pursuant to article 58 of the Rome Statute (“Statute”), the Chamber issued a warrant of arrest for Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud (“Al Hassan”).²
3. The Chamber notes that article 39(2)(b)(iii) of the 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,³ a single judge of the Pre-Trial Chamber may exercise the functions provided 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

¹ “Decision on the Election of the Presiding Judge”, 21 March 2018, dated 21 March 2018 and registered in the record of the *Al Hassan* case on 27 March 2018.

² “Warrant of Arrest for Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud”, 27 March 2018, ICC-01/12-01/18-2-tENG.

³ 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.

handling of the proceedings before the Chamber, it is appropriate to designate Judge Péter Kovács as Single Judge responsible for carrying out the functions of the Chamber in the *Al Hassan* case. Owing to Judge Péter Kovács's unavailability from 3 to 6 April 2018, however, it is appropriate to designate Judge Marc Perrin de Brichambaut as Single Judge responsible for carrying out the functions of the Chamber in the *Al Hassan* case during that period.

FOR THESE REASONS, THE CHAMBER

DECIDES to designate Judge Péter Kovács, save for the period from 3 to 6 April 2018, 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 the *Al Hassan* case; and

DECIDES to designate Judge Marc Perrin de Brichambaut, for the period from 3 to 6 April 2018, 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 the *Al Hassan* case.

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

[signed]

Judge Péter Kovács
Presiding Judge

[signed]

Judge Marc Perrin de Brichambaut

[signed]

Judge Reine Adélaïde Sophie
Alapini-Gansou

Dated this 28 March 2018

At The Hague, Netherlands