

**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**

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**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”<sup>1</sup> 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

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<sup>1</sup> ICC-01/04-569.

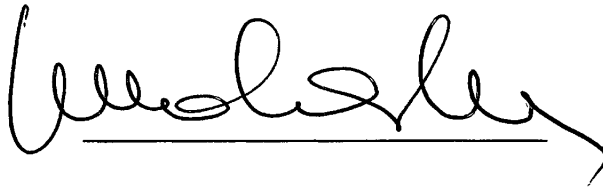
circumstances of the proceedings before the Chamber, the distribution of work within the Chamber and the proper management and efficiency in the handling of cases;

**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,**

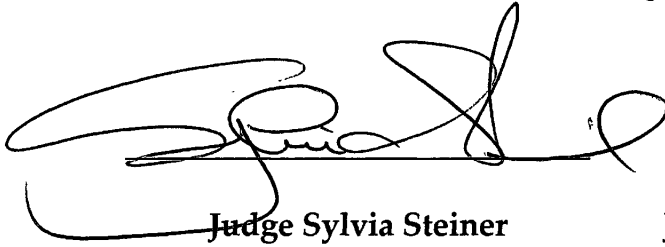
- (i) decides to appoint Judge Cuno Tarfusser as Single Judge of Pre-Trial Chamber I responsible for carrying out the functions of the Chamber subject to article 57(2)(a) of the Statute, in relation to the situation in the DRC and any case emanating therefrom, for each time of unavailability of Single 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.

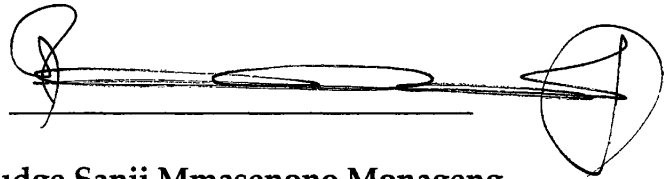


**Judge Cuno Tarfusser**

**Presiding Judge**



**Judge Sylvia Steiner**



**Judge Sanji Mmasenono Monageng**

Dated this Monday 25 October 2010

At The Hague, The Netherlands