



Original: English

No. ICC-02/04-01/05

Date: 15 March 2024

PRE-TRIAL CHAMBER III

Before: Judge Althea Violet Alexis-Windsor, Presiding Judge
Judge Iulia Motoc
Judge Haykel Ben-Mahfoudh

**SITUATION IN UGANDA
IN THE CASE OF
*THE PROSECUTOR v. JOSEPH KONY***

Public

Decision on the designation of a Single Judge

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

The Office of the Prosecutor

Mr Karim A. A. Khan
Mr Mame Mandiaye Niang
Ms Leonie von Braun

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants
for Participation/Reparations**

**The Office of Public Counsel
for Victims**

Ms Paolina Massidda
Ms Sarah Pellet

**The Office of Public Counsel
for the Defence**

Ms Marie O'Leary

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Counsel Support Section

Mr Pieter Vanaverbeke

Victims and Witnesses Unit

Mr Nigel Verrill

Detention Section

Mr Harry Tjonk

**Victims Participation and
Reparations Section**

Mr Philipp Ambach

Other

PRE-TRIAL CHAMBER III (the ‘Chamber’) of the International Criminal Court (the ‘Court’) issues this decision by way of which Judge Althea Violet Alexis-Windsor is designated as Single Judge.

1. On 12 March 2024, the Presidency of the Court recomposed the Chambers and assigned the situation in the Republic of Uganda (the ‘*Uganda Situation*’) to this Chamber.¹
2. On 13 March 2024, the Chamber elected Judge Althea Violet Alexis-Windsor as the Presiding Judge.²
3. As regards *The Prosecutor v. Joseph Kony*, which is part of the aforementioned situation, the Chamber first notes the ongoing process related to the confirmation of charges hearing, scheduled by Pre-Trial Chamber II when it was seized of the *Uganda Situation*,³ and also notes that Judge Iulia Motoc and Judge Haykel Ben-Mahfoudh will not commence their full-time service until 13 May 2024 and 10 June 2024, respectively.⁴
4. Article 39(2)(b)(iii) of the Rome Statute (the ‘Statute’) provides that ‘[t]he 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’.
5. According 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 of Procedure and Evidence or by a majority of the Pre-Trial Chamber’.
6. In light of the foregoing and the need to ensure the proper management, expeditiousness and efficiency of the proceedings,⁵ the Chamber considers it appropriate to designate Judge Althea Violet Alexis-Windsor as Single Judge

¹ ICC-Pres-01/24, p. 9.

² Notification of the election of the Presiding Judge, 14 March 2024, ICC-02/04-258 and Notification of the election of the Presiding Judge, 14 March 2024, ICC-02/04-01/05-486.

³ Pre-Trial Chamber II, *The Prosecutor v. Joseph Kony*, Second decision on the Prosecution’s request to hold a confirmation of charges hearing in the *Kony* case in the suspect’s absence, 4 March 2024, ICC-02/04-01/05-481.

⁴ ICC-Pres-01/24, p. 9.

⁵ See rule 7(1) of the Rules of Procedure and Evidence and regulation 47 of the Regulations of the Court.

responsible for carrying out the functions of the Chamber, subject to article 57(2)(a) of the Statute, until otherwise decided.

FOR THESE REASONS, THE CHAMBER HEREBY

DESIGNATES Judge Althea Violet Alexis-Windsor as Single Judge responsible for carrying out the functions of the Chamber in the present situation, subject to article 57(2)(a) of the Statute, until otherwise decided.

Done in English. A French translation will follow. The English version remains authoritative.



**Judge Althea Violet Alexis-Windsor,
Presiding Judge**



Judge Iulia Motoc



Judge Haykel Ben-Mahfoudh

Dated this Friday, 15 March 2024

At The Hague, The Netherlands