

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

No.: ICC-02/05-01/07  
Date: 16 August 2007

**PRE-TRIAL CHAMBER I**

**Before:** Judge Akua Kuenyehia, Presiding Judge  
Judge Anita Ušacka  
Judge Sylvia Steiner

**Registrar:** Mr Bruno Cathala

**SITUATION IN DARFUR, SUDAN**

**IN THE CASE OF**

***THE PROSECUTOR v. AHMAD MUHAMMAD HARUN ("HAMAD HARUN")  
and ALI MUHAMMAD ALI ABD-AL-RAHMAN (ALI KUSHAYB")***

**Public Document**

**Decision on the Temporary Designation of a Single Judge**

**The Office of the Prosecutor**  
Mr Luis Moreno Ocampo, Prosecutor  
Ms Fatou Bensouda, Deputy Prosecutor  
Mr. Ade Omofade, Trial Lawyer

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

**NOTING** the “Decision Assigning the Situation in Darfur, Sudan to Pre-Trial Chamber I” issued by the Presidency on the 21 April 2005<sup>1</sup>;

**NOTING** the “Decision on the Designation of a Single Judge” issued by the Chamber on 10 May 2007 designating Judge Akua Kuenyehia as single judge of Pre-Trial Chamber I for the case *The Prosecutor v. Ahmad Muhammad Harun* (“Ahmad Harun”) and *Ali Muhammad Ali Abd-Al-Rahman* (“Ali Kushayb”) (“*The Prosecutor v. Harun and Kushayb*”) in the Situation in Darfur, Sudan from 10 May 2007 until otherwise decided by the Chamber;

**NOTING** the “Decision replacing a judge in Pre-Trial Chamber I” <sup>2</sup> issued by the Presidency on 22 June 2007;

**NOTING** article 39 (2) (b) (iii) of the Rome Statute (“the Statute”), pursuant to which 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 in accordance with the Statute and the Rules of Procedure and Evidence;

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<sup>1</sup> ICC-02/05-1-Corr

<sup>2</sup> ICC-02/05-01/07-22.

**NOTING** article 57 (2) (b) of the Statute, pursuant to which a single judge of the Pre-Trial Chamber may exercise the functions provided for in this Statute, unless otherwise provided for in the Rules of Procedure and Evidence or by a majority of the Pre-Trial Chamber;

**NOTING** rule 7 (1) of the Rules of Procedure and Evidence and regulation 47 (1) of the Regulations of the Court, pursuant to which the designation of a single judge shall be based on criteria agreed upon by the Pre-Trial Chamber, including seniority of age and criminal trial experience;


**CONSIDERING** that at this stage of the proceedings in the case *The Prosecutor v. Harun and Kushayb* in the Situation in Darfur, Sudan the designation of a single judge will ensure the proper and efficient functioning of the Chamber;

**FOR THESE REASONS,**

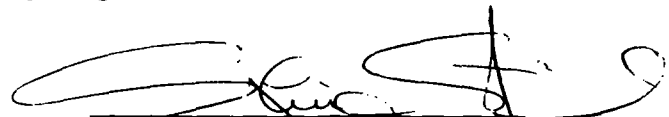
**DECIDES** to designate Judge Anita Ušacka as single judge of Pre-Trial Chamber I for the case *The Prosecutor v. Harun and Kushayb* in the Situation in Darfur, Sudan from 18 August 2007 until 16 September 2007, inclusively;

**DECIDES** that, subject to article 57, paragraph 2 (a) of the Statute, the functions of Pre-Trial Chamber I concerning the case *The Prosecutor v. Harun and Kushayb* in the Situation in Darfur, Sudan shall be carried out by Judge Anita Ušacka as single judge from 18 August 2007 until 16 September 2007, inclusively.

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

  
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**Judge Akua Kuenyehia**  
**Presiding Judge**

  
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**Judge Anita Ušacka**

  
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**Judge Sylvia Steiner**

Dated this Thursday 16 August 2007

At The Hague, The Netherlands