Cour Pénale Internationale



International Criminal Court

Original: English

No.: ICC-02/05

Date: 25 October 2010

PRE-TRIAL CHAMBER I

Before:

Judge Cuno Tarfusser, Presiding Judge

Judge Sylvia Steiner

Judge Sanji Mmasenono Monageng

SITUATION IN DARFUR, SUDAN

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

CU

Counsel for the Defence

Mr Luis Moreno-Ocampo, Prosecutor Ms Fatou Bensouda, Deputy Prosecutor

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

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

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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" 1

issued by the Chamber on 26 July 2010, whereby Judge Cuno Tarfusser 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 Darfur, Sudan, 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

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;

¹ ICC-02/05-233.

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 Sanji Mmasenono Monageng as Single Judge responsible for carrying out the functions of the Chamber in relation to the proceedings of the situation in Darfur, Sudan, and any case emanating therefrom, for each time of unavailability of Single Judge Cuno Tarfusser;

THE CHAMBER HEREBY,

- (i) decides to appoint Judge Sanji Mmasenono Monageng 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 Darfur, Sudan, and any case emanating therefrom, for each time of unavailability of Single Judge Cuno Tarfusser;
- (ii) orders the Registrar to file this decision in the record of the situation in Darfur, Sudan, and any case emanating therefrom.

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

helde

Judge Cuno Tarfusser

Presiding Judge

_____Judge Sylvia Steiner

Judge Sanji Mmasenono Monageng

Dated this Monday 25 October 2010

At The Hague, The Netherlands