

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

Date: 22 June 2007

THE PRESIDENCY

Before: Judge Philippe Kirsch, President
Judge Akua Kuenyehia, First Vice-President
Judge René Blattmann, Second Vice-President

Registrar: Mr Bruno Cathala

Public

Decision replacing a judge in Pre-Trial Chamber I

The Office of the Prosecutor
Mr Luis Moreno Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

Office of Public Counsel for Victims
Mr Xavier-Jean Keïta

Office of Public Counsel for Defence
Ms Paolina Massidda

Legal representatives of victims

THE PRESIDENCY of the International Criminal Court ("the Court");

NOTING its decisions of 23 June 2004 and 14 March 2006, constituting Pre-Trial Chamber I (composed of Judges Claude Jorda, Akua Kuenyenia, and Sylvia Steiner)¹;

NOTING the resignation from the Court of Judge Jorda²;

CONSIDERING the composition of the Pre-Trial Chambers as set out in article 39(2)(b)(iii) of the Rome Statute of the International Criminal Court ("the Statute"), pursuant to which the functions of a Pre-Trial Chamber shall be carried out by three judges of the Pre-Trial Division or by a single judge of that division;

CONSIDERING article 39(4) of the Statute, pursuant to which the Presidency may temporarily attach a judge from the Trial Division to the Pre-Trial Division or vice versa if it considers that the efficient management of the workload of the Court so requires;

CONSIDERING rule 38 of the Rules of Procedure and Evidence ("the Rules"), providing for the replacement of judges and regulation 15 of the Regulations of the Court, pursuant to which the Presidency is responsible for the replacement of judges;

THEREBY DECIDES:

- (i) to temporarily attach Judge Ušacka, who is currently assigned to the Trial Division³, to the Pre-Trial Division until further notice;

¹ See *Decision constituting Pre-Trial Chambers*, ICC-Pres-01/04 and ICC-Pres-01/06.

² See press release of 8 May 2007, ICC-PIDS-PR-20070508-218_En. Judge Jorda's resignation from the Court will take effect on 12 August 2007.

³ Pursuant to the first plenary session of the judges held in March 2003, in line with rule 4(1)(b) of the Rules.

Pursuant to Pre-Trial Chamber II's Decision ICC-02/05-01/07-87 dated 15-06-2020, this document is transferred in the case file ICC-02/05-01/20:The Prosecutor vs. Ali Muhammad Ali Abd-Al-Rahman ("Ali Kushayb")

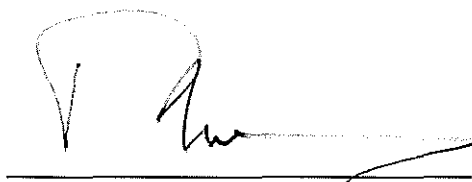
- (ii) to assign Judge Ušacka to Pre-Trial Chamber I to replace Judge Jorda, with effect from 25 June 2007, until otherwise determined, for the purpose of proceedings before that Chamber; and,
- (iii) that Pre-Trial Chamber I shall be composed as follows:

Judge Akua Kuenyehia

Judge Anita Ušacka

Judge Sylvia Steiner,

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



Judge Philippe Kirsch

President

Dated this 22 June 2007

At The Hague, The Netherlands