

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **French**

No.: **ICC-01/04**
Date: **14 March 2006**

PRE-TRIAL CHAMBER I

Before: Judge Claude Jorda, Presiding Judge
Judge Akua Kuenyehia
Judge Sylvia Steiner

Registrar: Mr Bruno Cathala

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
THE PROSECUTOR v. THOMAS LUBANGA DYILO**

Under Seal

DECISION DESIGNATING A SINGLE JUDGE

The Office of the Prosecutor

Mr Luis Moreno-Ocampo

Ms Fatou Bensouda

Mr Ekkehard Withopf

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

NOTING the decision issued by the Presidency on 5 July 2004 assigning the situation in the Democratic Republic of the Congo (the “DRC”) to Pre-Trial Chamber I;¹

NOTING the decision issued by Pre-Trial Chamber I on 10 February 2006 (the “Decision”), whereby the Chamber decided to issue a warrant of arrest against Mr Thomas Lubanga Dyilo;²

NOTING the Warrant of Arrest issued against Mr Thomas Lubanga Dyilo by the Chamber on 10 February 2006;³

NOTING that the Decision marks the start of the case against Mr Thomas Lubanga Dyilo;⁴

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 of that division in accordance with the Statute and the Rules of Procedure and Evidence;

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 the Statute, unless

¹ ICC-01/04-1-tFR.

² ICC-01/04-01/06-8-US-tFR.

³ ICC-01/04-01/06-2-US.

⁴ Decision, para. 93-96.

otherwise provided for in the Rules of Procedure and Evidence or a by decision to the contrary 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 relating to the case against Mr Thomas Lubanga Dyilo in the situation in the DRC, the designation of a single judge will make it possible for the Chamber to function appropriately and effectively;

FOR THESE REASONS

DECIDES to designate Judge Steiner as single judge of Pre-Trial Chamber I, which has been assigned the case against Mr Thomas Lubanga Dyilo in the situation in the DRC, from 15 until 22 March 2006 at 12.00 hours;

DECIDES that subject to article 57 (2) (a) of the Statute, the functions of Pre-Trial Chamber I relating to the case against Mr Thomas Lubanga Dyilo in the situation in the DRC shall be exercised by the single judge from 15 until 22 March at 12.00 hours.

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

[Electronic signature]

Judge Claude Jorda
Presiding Judge

[Electronic signature]

Judge Akua Kuenyehia

[Electronic signature]

Judge Sylvia Steiner

Dated this Tuesday 14 March 2006

At The Hague

The Netherlands

[Seal of the Court]