

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **French**

No: **ICC-01/04-01/06**

Date: **22 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**

Public

**DECISION DESIGNATING A SINGLE JUDGE IN THE CASE OF THE
PROSECUTOR v. THOMAS LUBANGA DYILO**

The Office of the Prosecutor

Mr Luis Moreno-Ocampo
Ms Fatou Bensouda
Mr Ekkehard Withopf

Counsel for the Defence

Mr Jean Flamme, Duty Counsel

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

NOTING the “Decision on the Prosecutor’s Application for a warrant of arrest, Article 58”;¹

NOTING the warrant of arrest² issued against Mr Thomas Lubanga Dyilo by Pre-Trial Chamber I (“the Chamber”) on 10 February 2006;

NOTING the Order scheduling the first appearance of Mr Thomas Lubanga Dyilo³ and noting the first appearance of Mr Thomas Lubanga Dyilo at a public hearing before the Chamber and in the presence of Duty Counsel and the Prosecutor on 20 March 2006;

NOTING articles 39 (2) (b) (iii), 57 (2), 60 and 61 of the Rome Statute (“the Statute”), and rules 7 (1) and 121 (2) (b) of the Rules of Procedure and Evidence (“the Rules”) and regulation 47 (1) and 47 (2) of the Regulations of the Court;

NOTING article 39 (2) (b) (iii) of 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-01/04-01/06-8-corr

² ICC-01/04-01/06-2-tEN

³ ICC-01/04-01/06-38

otherwise provided for in the Rules of Procedure and Evidence or by a decision to the contrary by a majority of the Pre-Trial Chamber;

NOTING rule 7 (1) of the Rules 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;

NOTING rule 121 (2) (b) of the Rules, pursuant to which the Pre-Trial Chamber shall hold status conferences to ensure that disclosure takes place under satisfactory conditions and pursuant to which for each case a judge of the Pre-Trial Chamber shall be appointed to organise such status conferences;

CONSIDERING that at this stage of the proceedings relating to the case of the Prosecutor v. Thomas Lubanga Dyilo in the situation in the Democratic Republic of the Congo (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 Sylvia 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;

DECIDES that subject to article 57 (2) of the Statute, Judge Sylvia Steiner shall exercise the functions of the Chamber in this case including the functions provided for in rule 121 (2) (b) of the Rules.

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

Judge Claude Jorda
Presiding Judge

Judge Akua Kuenyehia

Judge Sylvia Steiner

Dated this Wednesday 22 March 2006

At The Hague

The Netherlands