



Original: **French**

No.: **ICC-01/04**
Date: **11 April 2008**

PRE-TRIAL CHAMBER I

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

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public Document

**Decision Designating a Single Judge Responsible for Issues Related to Victims'
Applications for Participation at the Investigation Stage of the Situation in the
DRC**

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

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

Counsel for the Defence

Legal Representatives of Victims

Mr Emmanuel Daoud
Mr Luc Walley
Mr Frank Mulenda
Ms Carine Bapita Buyangandu
Mr Michel Shebele
Mr Patrick Baudoin
Mr Michael Verhaeghe
Mr Sylvestre Bisimwa
Mr Joseph Keta

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 Keita

States Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Ralph Martens, Acting Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

NOTING the *Decision Assigning the Situation in the Democratic Republic of Congo* (“the DRC”) to Pre-Trial Chamber I (“the Chamber”), rendered by the Presidency on 5 July 2004;¹

NOTING the *Decision on the Designation of a Single Judge*² rendered by Pre-Trial Chamber I on 27 June 2007 maintaining the designation of Judge Sylvia Steiner as single judge of Pre-Trial Chamber I responsible for the Situation in the DRC and any related case until otherwise decided by the Chamber;

NOTING article 39(2)(b)(iii) of the *Rome Statute* (“the Statute”), under 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*;

NOTING article 57(2)(b) of the Statute, under which a single judge of the Pre-Trial Chamber may exercise the functions provided for in the 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*, under which the designation of a single judge shall be based on criteria agreed upon by the Pre-Trial Chamber;

CONSIDERING that a number of applications from persons seeking the right to participate as victims in the proceedings at the investigation stage of the situation in the DRC (“victims’ applications for participation at the investigation stage of the Situation in the DRC”) are pending before the Chamber;

¹ ICC-01/04-1.

² ICC-01/04-353.

CONSIDERING further that the number such of applications is likely to increase significantly;

CONSIDERING that, in view of the number, nature and particularity of the issues raised by this type of application, the designation, at this stage of the proceedings, of a single judge responsible for those issues will ensure the proper and efficient functioning of the Chamber;

FOR THESE REASONS,

DECIDES, subject to article 57(2)(a) of the Statute, to appoint Judge Anita Ušacka as single judge responsible for carrying out all functions of Pre-Trial Chamber I in connection with issues related to victims' applications for participation at the investigation stage of the Situation in the DRC, until decided otherwise by the Chamber;

DECIDES that, subject to article 57(2)(a) of the Statute, Judge Sylvia Steiner shall remain single judge responsible for carrying out all other functions of the Pre-Trial Chamber until otherwise decided by the Chamber.

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

[signed]
Judge Akua Kuenyehia
Presiding Judge

[signed]
Judge Anita Ušacka

[signed]
Judge Sylvia Steiner

Dated this Friday 11 April 2008

At The Hague, The Netherlands