

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05
Date: 26 July 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

Decision to be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Mr Luis Moreno-Ocampo

Ms Fatou Bensouda

Counsel for the Defence

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

PRE-TRIAL CHAMBER I of the International Criminal Court ,

NOTING the “Decision assigning the Situation in Darfur, Sudan to Pre-Trial Chamber I”¹ issued by the Presidency on 21 April 2005;

NOTING the “Decision on the designation of a Single Judge of Pre-Trial Chamber I”² issued by the Chamber on 26 March 2009, 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 Statute of the Court, in relation to the situation in Darfur, Sudan and any case emanating therefrom;

NOTING the three “Decision on the Designation of a Single Judge on Victims’ Issues” issued by the Chamber on 19 August 2009, whereby Judge Sanji Mmasenono Monageng was appointed as Single Judge responsible for all issues related to victims’ applications to be authorized to participate as victims (i) in the proceedings relating to the case of the Prosecutor v Ahmad Muhummad Harun and Ali Muhammad Ali Abd-Al-Rahman Kushayb³; (ii) in the proceedings relating to the case of the Prosecutor v Omar Hassan Ahmad Al Bashir⁴; (iii) in the proceedings relating to the case of the Prosecutor v Bahar Idriss Abu Garda⁵;

NOTING articles 39 (2) (b) (iii) and 57 (2) (b) of the Statute, rule 7 (1) of the Rules of Procedure and Evidence and regulation 47 of the Regulations of the Court;

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

¹ ICC-02/05-1-Corr.

² ICC-02/05-01/07-41.

³ ICC-02/05-01/07-46.

⁴ ICC-02/05-01/09-31

⁵ ICC-02/05-02/09-55

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;

CONSIDERING that in light of the above mentioned criteria, and in particular the distribution of work within the Chamber and the proper management and efficiency in the handling of the proceedings before the Chamber, it is appropriate to designate Judge Cuno Tarfusser as Single Judge responsible for carrying out all the functions of the Chamber, including all the issues related to victims' applications, in relation to the proceedings of the situation in Darfur, Sudan and any case emanating therefrom;

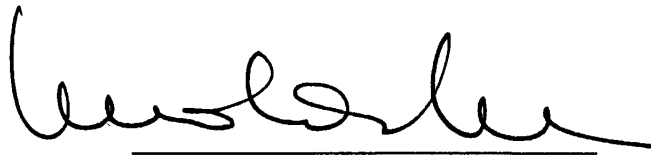
THE CHAMBER HEREBY,

- (i) Decides to appoint, until otherwise decided, Judge Cuno Tarfusser as Single Judge of Pre-Trial Chamber I responsible for carrying out all the functions of the Chamber, including all the issues related to

victims' applications and subject to article 57 (2) (a) of the Statute, in relation to the situation in Darfur, Sudan and any case emanating therefrom;

- (ii) orders the Registrar to file this decision in the record of the situation in Darfur, Sudan and any case emanating therefrom.

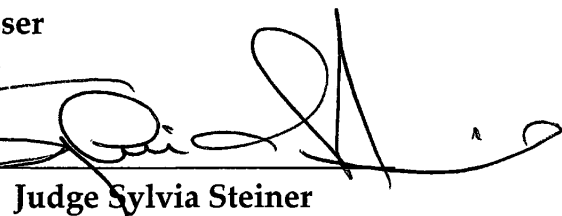
Done in both English and French, the English version being authoritative.



Judge Cuno Tarfusser
Presiding Judge



Judge Sanji Mmasenono Monageng



Judge Sylvia Steiner

At The Hague, The Netherlands, on Monday 26 July 2010