



Original: **English**

No.: ICC-Pres-02-15

Date: 16 March 2015

THE PRESIDENCY

Before: Judge Silvia Fernández de Gurmendi, President
Judge Joyce Aluoch, First Vice-President
Judge Kuniko Ozaki, Second Vice-President

Public

**Decision on the constitution of Pre-Trial Chambers
and on the assignment of the Mali situation**

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

The Office of the Prosecutor

Fatou Bensouda

James Stewart

Counsel for the Defence

Legal Representative of the Victims

Legal Representative of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Paolina Massidda

**The Office of Public Counsel for
the Defence**

Xavier-Jean Keita

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Esteban Peralta Losilla

Victims and Witnesses Unit

Nigel Verrill

Detention Section

Paddy Craig

**Victims Participation and Reparations
Section**

Fiona McKay

Other

Pre-Trial Chamber I

Pre-Trial Chamber II

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

NOTING the decision of the Presidency dated 3 July 2014 constituting the Pre-Trial Chambers whereby, *inter alia*, Pre-Trial Chamber I was composed of Judges Ekaterina Trendafilova, Christine Van den Wyngaert and Silvia Fernández de Gurmendi and Pre-Trial Chamber II was composed of Judges Ekaterina Trendafilova, Christine Van den Wyngaert and Cuno Tarfusser;¹

NOTING that the term of office of Judge Ekaterina Trendafilova ended on 10 March 2015;

NOTING the assignment of Judge Silvia Fernández de Gurmendi to the Appeals Division in accordance with article 39(1) of the Rome Statute of the International Criminal Court ("Statute") pursuant to her election as President of the Court;²

NOTING the decision of the Presidency of 13 March 2015 assigning judges to divisions whereby, *inter alia*, Judge Christine Van den Wyngaert was assigned to the Appeals Division, Judge Joyce Alouch was assigned to the Trial Division and Judges Cuno Tarfusser, Marc Perrin de Brichambaut, Antoine Kesia-Mbe Mindua, Péter Kovács and Chang-ho Chung were assigned to the Pre-Trial Division in accordance with article 39(1) of the Statute and rule 4*bis*(2) of the Rules of Procedure and Evidence ("Rules");³

CONSIDERING that judges assigned to the Appeals Division shall serve only in that division pursuant to article 39(4) of the Statute;

NOTING article 39(1) and (4) of the Statute concerning the assignment of judges;

NOTING regulation 46(1) of the Regulations of the Court, which provides that "[t]he Presidency shall constitute permanent Pre-Trial Chambers with fixed compositions";

NOTING rule 38 of the Rules and regulation 15(1) of the Regulations of the Court concerning the replacement of judges;

¹ Decision on the constitution of Pre-Trial Chambers, 3 July 2014, ICC-02/05-01/12-26.

² Press Release, Judge Fernández de Gurmendi elected ICC President for 2015-2018; Judges Alouch and Ozaki elected First and Second Vice-President respectively, 11 March 2015, ICC-CPI-20150311-PR1096.

³ See Presidency, Decision assigning judges to divisions, 13 March 2015, ICC-02/05-01/12-28.

HEREBY DECIDES to temporarily attach Judge Joyce Aluoch, currently assigned to the Trial Division, to the Pre-Trial Division;

HEREBY DECIDES that henceforth:

- (i) The situation in Mali shall be assigned to Pre-Trial Chamber I; and
- (ii) The Pre-Trial Chambers shall be constituted as follows:

Pre-Trial Chamber I - CIV; Libya; Mali; Registered Vessels

Judge Joyce Aluoch
 Judge Cuno Tarfusser
 Judge Péter Kovács

Pre-Trial Chamber II - CAR I; CAR II; Darfur; DRC; Kenya; Uganda

Judge Cuno Tarfusser
 Judge Marc Perrin de Brichambaut
 Judge Chang-ho Chung

ORDERS the Registrar to file and notify this decision to the relevant parties and participants in the CAR I, CAR II, CIV, Darfur, DRC, Kenya, Libya, Mali, Registered Vessels and Uganda situations and cases therein.

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



Judge Silvia Fernández de Gurmendi
President

Dated this 16 March 2015

At The Hague, The Netherlands