

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05
Date: 23 March 2009

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul
Judge Fumiko Saiga

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

Public Document

Decision Designating Single Judges

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

The Office of the Prosecutor

Luis Moreno-Ocampo

Fatou Bensouda

Counsel for the Defence

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

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

States Representatives

Amicus Curiae

REGISTRY

Registrar & Deputy Registrar

Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

PRE-TRIAL CHAMBER II (“the Chamber”) of the International Criminal Court, having been assigned with the situation of the Central African Republic,¹ is considering the proper organisation of the proceedings before it in the upcoming period.

1. Pursuant to article 39(2)(b)(iii) of the Rome Statute (the “Statute”), 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 (the “Rules”).

2. 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.

3. The Chamber recalls rule 7(1) of the Rules and regulation 47(1) of the Regulations of the Court which 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.

4. The Chamber considers that in light of the abovementioned criteria, in particular the new constitution of the Chamber, the assignment of two situations to the Chamber, the replacement of Judge Mauro Politi, whose term of office ended on 10 March 2009, with Judge Fumiko Saiga by decision of the Presidency dated 19 March 2009,² as well as the need to ensure proper management and efficiency in the handling of the proceedings before the Chamber, it is appropriate to designate Judge

¹ Presidency, ICC-01/05-22.

² *Ibid*

Ekaterina Trendafilova as Single Judge responsible for carrying out the functions of the Chamber in relation to the proceedings of the situation and the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, except for all victims' issues related thereto.


5. Furthermore, considering the above and the fact that Judge Hans-Peter Kaul had been designated Single Judge of Pre-Trial Chamber III responsible for victims' issues in the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*,³ the Chamber considers it appropriate to designate Judge Hans-Peter Kaul as Single Judge responsible for all victims' issues in relation to the proceedings of the situation in the Central African Republic and the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*.

FOR THESE REASONS, THE CHAMBER

- a) **designates** Judge Ekaterina Trendafilova as Single Judge of Pre-Trial Chamber II responsible for carrying out the functions of the Chamber, subject to article 57(2)(a) of the Statute, in relation to the situation of the Central African Republic and the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, except for all victims' issues until decided otherwise;
- b) **designates** Hans-Peter Kaul as Single Judge of Pre-Trial Chamber II responsible for all victims' issues in the situation of the Central African Republic and the case of *The Prosecutor v. Jean-Pierre Bemba Gombo* until decided otherwise;
- c) **orders** the Registrar to file this decision in the record of the situation of the Central African Republic and of the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*.

³ Pre-Trial Chamber III, "Decision Designating a Single Judge on Victims' Issues", ICC-01/05-01/08-204.

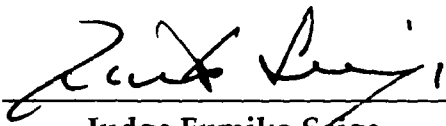
Done in both English and French, the English version being authoritative.



Judge Ekaterina Trendafilova
Presiding Judge



Judge Hans-Peter Kaul
Judge



Judge Fumiko Saiga
Judge

Dated this 23 March 2009

At The Hague, The Netherlands