

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05
Date: 21 July 2009

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Presiding Judge
Judge Sanji Mmasenono Monageng
Judge Cuno Tarfusser

SITUATION IN DARFUR, SUDAN

Public Document

**Decision on the Temporary Replacement of the Single Judge for the Period of 22
July to 17 August 2009**

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

Mr. Essa Faal

Counsel for the Defence

Mr. Karim A.A. Khan

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

Ms. Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

NOTING the “Decision on the Designation of a Single Judge of Pre-Trial Chamber I” of 26 March 2009 (the “26 March 2009 Decision”), designating Judge Cuno Tarfusser as Single Judge responsible for carrying out the functions of the Chamber, subject to article 57(2)(a) of the Statute of the Court (the “Statute”), in relation to the situation in Darfur, Sudan and any cases emanating therefrom, including the cases of *The Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman Kushayb* (the “Harun and Kushayb case”); *The Prosecutor v. Omar Hassan Ahmad Al Bashir* (the “Al Bashir case”); and *The Prosecutor v. Bahar Idriss Abu Garda* (the “Abu Garda case”);¹

NOTING articles 39(2)(iii) and 57(2)(b) of the Statute, rules 7(1), 121 and 122 of the Rules of Procedure and Evidence and Regulation 47(1) of the Regulations of the Court (the “Regulations”);

NOTING that, in particular, regulation 47(1) of the Regulations makes the designation of a single judge dependant upon a number of criteria, including the circumstances of the proceedings before the Chamber and the proper management and efficiency in the handling of cases;

CONSIDERING that at this stage of the proceedings in the situation in Darfur, Sudan and in the cases emanating therefrom, including the Harun and Kushayb case; the Al Bashir case; and the Abu Garda case, the replacement by Judge Sylvia Steiner of the single judge appointed by the 26 March 2009 Decision for the period of 22 July to 17 August 2009 will ensure the proper management and efficiency in the handling of cases;

¹ ICC-02/05-01/09-16

**HAVING REGARD THERETO AND FOR THESE REASONS, THE CHAMBER
HEREBY:**

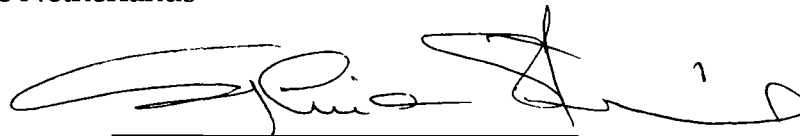
DECIDES to designate Judge Sylvia Steiner as single judge for the situation in Darfur, Sudan and any cases emanating therefrom, including the Harun and Kushayb case; the Al Bashir case; and the Abu Garda case, for the period of 22 July to 17 August 2009.

DECIDES that, as from 17 August 2009, Judge Cuno Tarfusser will resume his functions as single judge responsible for carrying out the functions of the Chamber, subject to article 57(2)(a) of the Statute, in relation to the situation in Darfur, Sudan and any cases emanating therefrom, including the Harun and Kushayb case; the Al Bashir case; and the Abu Garda case, in accordance with the 26 March 2009 Decision.

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

Dated this Tuesday, 21 July 2009

At The Hague, The Netherlands



Judge Sylvia Steiner
Presiding Judge



Judge Sanji Mmasenono Monageng



Judge Cuno Tarfusser