

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

No.: ICC-02/05  
Date: 25 August 2006

**PRE-TRIAL CHAMBER I**

**Before:** Judge Claude Jorda, Presiding Judge  
Judge Akua Kuenyehia  
Judge Sylvia Steiner

**Registrar:** Mr Bruno Cathala

**SITUATION IN DARFUR**

**Public Document**

**Decision of the Registrar Appointing Mr. Hadi Shalluf as *ad hoc* Counsel for the  
Defence**

**The Office of the Prosecutor**  
Mr Luis Moreno Ocampo

**Ad hoc counsel for Defence**  
Mr Hadi Shalluf

**THE REGISTRAR** of the International Criminal Court (the “Court”);

**NOTING** the Decision Inviting Observations in Application of Rule 103 of the Rules of Procedure and Evidence (“the Decision”), issued by Pre-Trial Chamber I (“the Chamber”) on 24 July 2006;

**NOTING** that the Decision orders the Registrar “to appoint an ad hoc counsel to represent and protect the general interests of the Defence in the Situation in Darfur, Sudan during the proceedings pursuant to rule 103 of the Rules”<sup>1</sup>;

**NOTING** that Rule 22.1 of the Rules of Procedure and Evidence stipulates that “[...] counsel for the defence shall have excellent knowledge of and be fluent in one of the working languages of the Court”, being English and French;

**CONSIDERING** that the Chamber has indicated to the Registry<sup>2</sup> the convenience and practicality of appointing counsel who is fluent in both English and Arabic in the Situation in Darfur, Sudan;

**CONSIDERING** that only three of all counsel admitted to the list created and managed by the Registrar, have declared they are fluent in English and Arabic;

**CONSIDERING** that the Registry made several attempts to contact the abovementioned counsel and managed to do so in the case of two of them and that

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<sup>1</sup> The Decision, at p. 6/6.

<sup>2</sup> In internal e-mail dated 9 August 2006.

they were asked to provide additional information on their fluency in the use of the English language;

**CONSIDERING** that the Registry reviewed the information provided by the two counsel, and communicated them to the Pre-Trial Chamber I on 18 August 2006;

**CONSIDERING** the Registry has consulted Pre-Trial I Chamber throughout on the candidacy of the two counsel;

**CONSIDERING** that Mr Shalluf is listed in the list of counsel created and maintained by the Registrar, and as such, meets the conditions set in rule 22, sub-rule 1 of the Rules and in regulation 67 of the regulations of the Court, and is therefore eligible to be appointed;

**CONSIDERING** that based on information furnished by Mr Shalluf,<sup>3</sup> he is fluent in French and Arabic, and has a 'good' command of the English language;

#### **FOR THESE REASONS**

**DECIDES** to appoint Mr Hadi Shalluf as *ad hoc* counsel to represent and protect the general interests of the defence in the situation in Darfur, Sudan during the proceedings pursuant to rule 103 and the Decision.

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<sup>3</sup> Formulaire de candidature (liste des conseils) of Mr Shalluf, executed on 29 June 2004, at p. 2.

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



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**Bruno Cathala**  
**Registrar**

Dated this 25 August 2006

At The Hague

The Netherlands