

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-02/05-02/09**

Date: **10 September 2009**

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN DARFUR, THE SUDAN

IN THE CASE OF THE PROSECUTOR

V.

BAHR IDRIS ABU GARDA

Public Document with CONFIDENTIAL Annex

**Prosecution Submission of List of Witnesses to be called to Testify during the
Confirmation Hearing**

Source: Office of the Prosecutor

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

The Office of the Prosecutor

Counsel for the Defence

Karim A.A. Khan

Legal Representatives of Victims

Legal Representatives of 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

Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

Maria Luisa Martinod-Jacome

**Victims Participation and Reparations Other
Section**

1. On 20 November 2008 the Office of the Prosecutor (“the Prosecution”) filed an Application pursuant to Article 58 of the Rome Statute requesting Pre-Trial Chamber I (“the Chamber”) to issue summonses to appear for three individuals named therein.
2. During the Initial Appearance of Bahar Idriss Abu Garda 18 May 2009, the Single Judge scheduled the Confirmation Hearing to take place on 12 October 2009.
3. In its “Second Decision on issues relating to Disclosure” issued on 15 July 2009¹, the Chamber ordered the Prosecution, “pursuant to rule 76 of the Rules, to disclose to the Defence, as soon as practicable and no later than Thursday 10 September 2009, in original and in a language Mr Bahar Idriss Abu Garda fully understands and speaks, the names and the statements of the witnesses - with authorized redactions pursuant to rule 81 of the Rules, if any - on which it intends to rely at the confirmation hearing, regardless of whether the Prosecution intends to call them to testify”.
4. Pursuant to Rule 76 and in compliance with the Second Decision, mentioned above, the Prosecution hereby provides, in Confidential Annex A, the names of the witnesses it intends to call to testify during the Confirmation Hearing.
5. The names of these witnesses are provided in a Confidential Annex because they relate to confidential information.



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Luis Moreno-Ocampo

Prosecutor

Dated this 10th day of September 2009.

The Hague, Netherlands

¹ ICC-02/05-02/09-35, page 17