

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

No.: ICC-02/05  
Date: 9 December 2008

**PRE-TRIAL CHAMBER I**

**Before:** Judge Akua Kuenyehia, Presiding Judge  
Judge Anita Ušacka  
Judge Sylvia Steiner

**SITUATION IN DARFUR, SUDAN**

**Public Decision with Confidential and *Ex Parte* Annex**

**Decision Requesting Additional Information and Supporting Materials**

**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, Prosecutor  
Mr Essa Faal, Senior Trial Lawyer

**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**  
Ms Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

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

**NOTING** the “Prosecution’s Application under article 58”<sup>1</sup> (“the Prosecution’s Application”) filed by the Prosecution on 20 November 2008;

**NOTING** article 58(1) of the Rome Statute (“the Statute”) and regulation 28 of the Regulations of the Court (“the Regulations”);

**CONSIDERING** that pursuant to article 58(1) of the Statute, the issuance of a warrant of arrest is subject to the Pre-Trial Chamber being satisfied that there are reasonable grounds to believe that the person has committed a crime falling within the jurisdiction of the Court;

**CONSIDERING** that regulation 28 of the Regulations permits the Chamber to “order the participants to clarify or to provide additional details” or to “address specific issues” within a time limit specified by the Chamber;

**CONSIDERING** that the Chamber finds it necessary to receive additional information and supporting materials from the Prosecution in relation to the Prosecution’s Application;

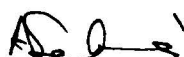
---


<sup>1</sup> ICC-02/05-163-Conf-Exp. The Prosecution also filed a public summary of the Prosecution’s Application under Article 58: ICC-02/05-162.

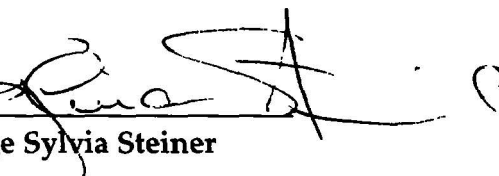
**FOR THESE REASONS**

**DECIDES** to give the Prosecution until Monday 26 January 2009 at 16.00 hours to provide the Chamber with the additional information and supporting materials requested in the confidential *ex parte* Annex I to the present decision.

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

  
\_\_\_\_\_  
**Judge Akua Kuenyehia**  
**Presiding Judge**

  
\_\_\_\_\_  
**Judge Anita Ušacka**

  
\_\_\_\_\_  
**Judge Sylvia Steiner**

Dated this Tuesday 9 December 2008

At The Hague

The Netherlands