

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 2 October 2009

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Presiding Judge

SITUATION IN DARFUR, SUDAN

IN THE CASE OF THE PROSECUTOR V. BAHAR IDRIS ABU GARDA

Public Document

Decision Distributing the Proposed Schedule for the Confirmation Hearing

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

Mr Brahim Koné

Ms Hélène Cissé

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States Representatives

Amicus Curiae

REGISTRY

Registrar & Deputy Registrar

Ms Silvana Arbia

Mr Didier Preira

Victims and Witnesses Unit

Defence Support Section

Detention Section

**Victims Participation and Reparations
Section**

Other

I, Judge Sylvia Steiner, Presiding Judge of Pre-Trial Chamber I (“the Chamber”) at the International Criminal Court (“the Court”);

NOTING the “Decision on the Prosecutor’s requests for extension of time limit” of 11 September 2009, whereby the Single Judge decided, *inter alia*, to re-schedule the confirmation hearing to 19 October 2009;¹

NOTING article 61 of the Statute of the Court and rule 122 of the Rules of Procedure and Evidence (the “Rules”);

CONSIDERING necessary to obtain the views of the Prosecution, the Defence, the Legal Representatives of the Victims as well as the technical observations of the Registry on the proposed schedule for the confirmation hearing attached to the present decision;

CONSIDERING necessary, in order to ensure the proper conduct of the confirmation hearing, to receive from the parties a table containing the current level of confidentiality of each and every piece of evidence they intend to present at the confirmation hearing;

CONSIDERING that, in order for the schedule for the confirmation hearing to be finalized, it is also necessary, in accordance with the established practice of this Chamber, to obtain prior to the commencement of the hearing the list of those issues of jurisdiction, admissibility or concerning the proper conduct of the proceedings

¹ ICC-02/05-02/09-98;

leading to the confirmation hearing, if any, that the Prosecution and the Defence intend to raise pursuant to rule 122(2) and (3) of the Rules;

FOR THESE REASONS,

DECIDE to distribute to the parties and the participants the proposed schedule for the confirmation hearing in Annex I to the present decision;

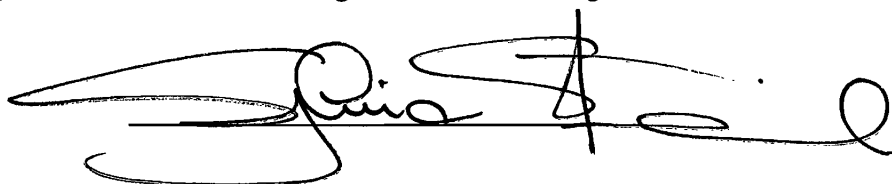
INVITE the Prosecution, the Defence, the Legal Representatives of the Victims and the Registrar to file by Wednesday 7 October 2009 their observations on the proposed schedule for the confirmation hearing;

ORDER the parties to file by Friday 9 October 2009 a table containing the current level of confidentiality of each and every piece of evidence they intend to present at the confirmation hearing;

INVITE the Prosecution and the Defence to file by Wednesday 7 October 2009 the list of those issues on jurisdiction, admissibility or concerning the proper conduct of

the proceedings leading to the confirmation hearing, if any, that the Prosecution and the Defence intend to raise pursuant to rule 122(2) and (3) of the Rules.

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

A handwritten signature in black ink, appearing to read 'Sylvia Steiner', with a large, sweeping flourish extending to the right.

Judge Sylvia Steiner

Presiding Judge

Dated this Friday, 2 October 2009

At The Hague, The Netherlands

ANNEX I

Proposed Schedule of the Confirmation Hearing

PROPOSED SCHEDULE OF THE CONFIRMATION HEARING
IN THE CASE OF THE PROSECUTOR V. BAHAR IDRIS ABU GARDA

Monday 19 October 2009

First Session 9.30-11.00

- i. 9.30-9.50 Opening of the confirmation hearing by the Presiding Judge
- ii. 9.50 – 11.00 Discussion on issues on jurisdiction, admissibility or issues concerning the proper conduct of the proceedings raised by the Prosecution or the Defence

Second Session 11.30-13.00

Discussion on issues on jurisdiction, admissibility or issues concerning the proper conduct of the proceedings raised by the Prosecution or the Defence

Third Session 15.00-16.30

Discussion on issues on jurisdiction, admissibility or issues concerning the proper conduct of the proceedings raised by the Prosecution or the Defence

Tuesday 20 October 2009

First Session 9.30-11.00

Opening statements of the Prosecution

Second Session 11.30-13.00

Opening statements of the Legal Representatives of Victims

Third Session 15.00-16.30

Opening statements of the Defence

Wednesday 21 October 2009

First Session 9.30-11.30

Examination in chief of the first Prosecution witness

Second Session 15.00-17.00

Cross examination of the first Prosecution witness

Thursday 22 October 2009

First Session 9.30-11.30

Examination in chief of the second Prosecution witness

Second Session 15.00-17.00

Cross examination of the second Prosecution witness

Monday 26 October 2009

First Session 9.30-11.30

Examination in chief of the third Prosecution witness

Second Session 15.00-17.00

Cross examination of the third Prosecution witness

Tuesday 27 October 2009

First Session 9.30-11.00

Presentation of the evidence by the Prosecution (part I)

Second Session 11.30-13.00

Presentation of the evidence by the Prosecution (part II)

Third Session 15.00-16.30

Presentation of the evidence by the Prosecution (part III)

Wednesday 28 October 2009

First Session 9.30-11.30

Examination in chief of Defence witness

Second Session 15.00-17.00

Cross examination of Defence witness

Thursday 29 October 2009

First Session 9.30-11.00

Discussion of the evidence presented by the Prosecution and presentation of the evidence by the Defence (part I)

Second Session 11.30-13.00

Discussion of the evidence presented by the Prosecution and presentation of the evidence by the Defence (part II)

Third Session 15.00-16.30

Discussion of the evidence presented by the Prosecution and presentation of the evidence by the Defence (part III)

Friday 30 October 2009

First Session 9.30-11.00

Closing statements of the Prosecution

Second Session 11.30-13.00

Closing statements of the Legal Representatives of Victims

Third Session 15.00-16.30

Closing statements of the Defence