

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-02/09
Date: 6 October 2009

PRE-TRIAL CHAMBER I

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

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
*THE PROSECUTOR v. BAHAR IDRIS ABU GARDA***

**Public document
With Confidential annexure**

**Application for extension of time and to request filing of further evidence into the
record of the Case**

Source: Defence

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

The Office of the Prosecutor
Mr Luís Moreno-Ocampo
Mr Essa Faal

Counsel for the Defence
Mr Karim A.A. Khan
Mr Andrew J. Burrow

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 1 October 2009, the Defence filed its List of Evidence and Witnesses in accordance with the schedule established by Single Judge Tarfusser's "Decision on the Prosecutor's requests for extension of time-limit" of 11 September 2009.
2. For reasons beyond its control and which appear from the Confidential Annexure to this Application, the Defence omitted to file one item of evidence into the record of the Case by the required deadline.
3. The Defence therefore prays that the Pre-Trial Chamber:
 - a. extends the deadline for filing evidence into the record of the Case so as to;
 - b. allow the Defence to file into the record of the Case the one item of evidence identified in the Confidential Annexure.

Respectfully submitted,



Karim A. A. Khan
Counsel for the Defence

Dated this 6th day of October 2009

At The Hague, THE NETHERLANDS