

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 14 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

URGENT

Decision setting a deadline for requests to lift anonymity of victims

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
Mr Andrew J. Burrow

Legal Representatives of the Victims

Mr Brahim Koné
Ms Hélène Cissé
Mr Akin Akinbote
Mr Frank Adaka

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**

Mr Xavier-Jean Keïta

States Representatives

Amicus Curiae

REGISTRY

Registrar & Deputy Registrar

Ms Silvana Arbia & Mr Didier Daniel
Preira

Defence Support Section

Victims and Witnesses Unit

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 request for extension of time-limit”,¹ issued by the Single Judge Cuno Tarfusser on 11 September 2009, wherein the commencement of the confirmation hearing was postponed until Monday, 19 October 2009;

NOTING the “Decision on the 34 Applications for Participation at the Pre-Trial Stage of the Case” issued by the Single Judge Sanji Monageng on 25 September 2009;²

NOTING the “Decision on victims’ modalities of participation at the Pre-Trial Stage of the Case” issued by the Chamber on 6 October 2009;³

NOTING the “Decision on the 52 Applications for Participation at the Pre-Trial Stage of the Case” issued by the Single Judge Sanji Monageng on 9 October 2009;⁴

NOTING articles 57, 61 and 68 of the *Rome Statute* (“the Statute”); rules 86 to 89, 91, 121 and 122 of the *Rules of Procedure and Evidence* (“the Rules”); regulations 86 of the *Regulations of the Court* (“the Regulations”);

¹ ICC-02/05-02/09-98.

² ICC-02/05-02/09-121.

³ ICC-02/05-02/09-136.

⁴ ICC-02/05-02/09-147-Red.

CONSIDERING that, as recalled by the Chamber, victims who are granted anonymity throughout the pre-trial stage of a case are not entitled to examine witnesses pursuant to the procedure provided for in rule 91(3) of the Rules;⁵

CONSIDERING that, at this stage of the proceedings and in the absence of any request made otherwise by their Legal Representatives, all the victims of the present case, with the exception of those who have the dual status of victim-witness,⁶ are anonymous;

CONSIDERING that the confirmation hearing is scheduled to start on Monday 19 October 2009 and that, in order to ensure its proper conduct, any request to lift the anonymity of victims shall be made sufficiently in advance;

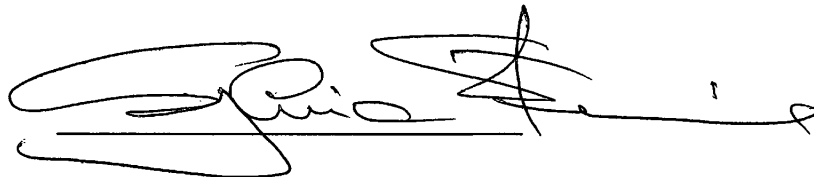
FOR THESE REASONS HEREBY

⁵ ICC-02/05-02/09-136, paras 22-24.

⁶ a/0434/09; a/0435/09; a/0436/09; a/0569/06 and a/0570/09.

DECIDE that any request to lift the anonymity of victims shall be submitted by Friday 16 October 2009 at 12h00.

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

A handwritten signature in black ink, appearing to read 'Sylvia Steiner', written over a horizontal line.

Judge Sylvia Steiner
Presiding Judge

Dated this Wednesday, 14 October 2009

At The Hague, The Netherlands