

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-02/09
Date: 20 November 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

**URGENT
Public Document**

Decision on the Legal Representative of Victims' Request

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
Colonel 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 Keita

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 oral decision rendered during the hearing of 30 October 2009, whereby the Chamber, *inter alia*, granted the Legal Representatives of Victims until Monday 16 November 2009 to file their final written observations;¹

NOTING the “Requête aux fins d’ extension du délai fixé par la Chambre Préliminaire pour le dépôt des observations écrites finales des représentants légaux des victimes” of 13 November 2009 (the “First Request”), whereby Ms. Hélène Cissé, Legal Representative of victims a/0434/09,a/0435/09,a/0456/09 to a/0462/09, a/0579/09 and a/0580/09 and Mr. Brahim Koné, Legal Representative of victims a/0170/09 to a/0192/09 requested the Chamber to be granted until Monday 23 November 2009 to submit their final written observations;²

NOTING the “Decision on the Legal Representatives of Victims’ Request” of 13 November 2009, whereby the Presiding Judge granted Ms. Hélène Cissé and Mr. Brahim Koné until Monday, 23 November 2009 to submit their final written observations;³

NOTING the “Victims’ request for an extension of time to file written observation” of 19 November 2009 (the “Second Request”), whereby Mr. Akin Akinbote, Legal Representative of victims a/0535/09, a/0537/09 to a/0542/09, a/0544/09 to a/0551/09

¹ ICC-02/05-02/09-T-21-Red-ENG, pp. 82-83.

² ICC-02/05-02/09-226.

³ ICC-02/05-02/09-228.

and a/0557/09 to a/0562/09 requested the Chamber to be granted until Thursday, 26 November 2009 to submit its final written observations;⁴

NOTING regulation 35(2) of the Regulations of the Court (the “Regulations”);

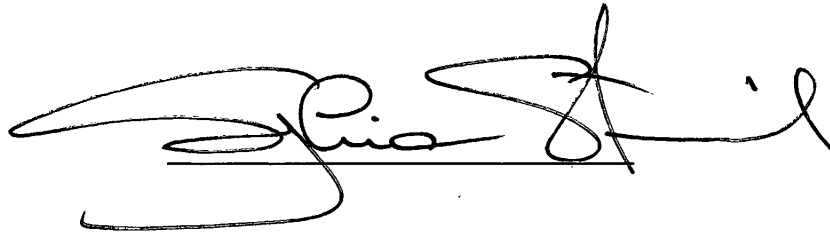
CONSIDERING that the Second Request, contrary to the First Request, has been made after the expiration of the time limit established by the Chamber, and that Mr. Akinbote failed to demonstrate that he was unable to file his request within the time limit for reasons outside his control, as provided for in regulation 35(2) of the Regulations;

FOR THESE REASONS,

REJECT the Second Request.

⁴ ICC-02/05-02/09-233.

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

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

Judge Sylvia Steiner

Presiding Judge

Dated this Friday, 20 November 2009

At The Hague, The Netherlands