

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 11 March 2010

**PRE-TRIAL CHAMBER I**

**Before: Judge Cuno Tarfusser, Single Judge**

**SITUATION IN DARFUR, SUDAN**

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

**Public Document**

**Decision on extension of page limit for Application for leave to appeal**

Document 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 Karin A.A. Khan

Mr Andrew J. Burrow

**Legal Representatives of Victims**

**Legal Representatives of 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**

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**Registrar**

Ms Silvana Arbia

**Deputy Registrar**

Mr Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Others**

I, Judge Cuno Tarfusser, Single Judge responsible for carrying out the functions of Pre-Trial Chamber I in relation to the proceedings of the situation in Darfur, Sudan and any related cases emanating therefrom, including the case of *The Prosecutor vs. Bahar Idriss Abu Garda* (the "Case"), at the International Criminal Court<sup>1</sup>;

NOTING the "Prosecution's Application for extension of page limit for the Prosecution's Application for Leave to Appeal the 'Decision on the confirmation of the charges'" dated 10 March 2009 (the "Prosecutor's Application")<sup>2</sup>;

NOTING that the Prosecutor is seeking authorisation for a ten-page extension of the page limit set forth in regulation 37(1) of the Regulations of the Court (the "Regulations"), based on grounds including the number, novelty and complexity of the issues on which he will be seeking leave to appeal the "Decision on the confirmation of the charges" (the "Decision")<sup>3</sup>;

NOTING regulation 37(2) of the Regulations;

CONSIDERING that the Decision is the first one declining to confirm the charges brought by the Prosecutor and that it establishes a number of principles for the first time in the case law of the Court;

NOTING regulation 24 of the Regulations;

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<sup>1</sup> ICC-02/05-210.

<sup>2</sup> ICC-02/05-02/09-250.

<sup>3</sup> ICC-02/05-02/09-243-Red.

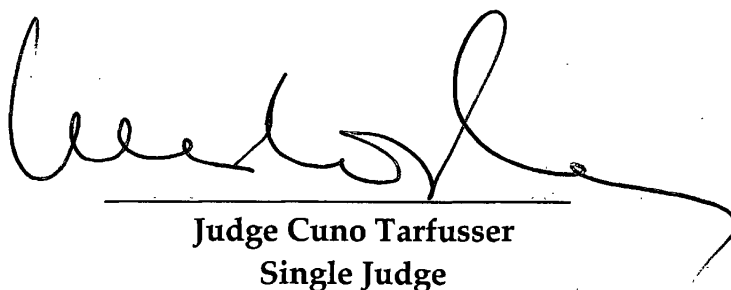
**NOTING** that the Application is filed on an urgent basis, given that any application for leave to appeal has to be filed by the Prosecutor on 15 March 2010 at the latest;

**CONSIDERING** that it is paramount that the Prosecutor be in a position to know on an expeditious basis the number of pages on which he can rely for his brief requesting leave to appeal the Decision and that, accordingly, it is not appropriate to wait for any response that the Defense may wish to file pursuant to regulation 24(1) of the Regulations;

**FOR THESE REASONS,**

**GRANT** the Prosecutor's Application for a ten-page extension of the page limit for the filing of the Application for leave to appeal the "Decision on the Confirmation of Charges".

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



**Judge Cuno Tarfusser**  
**Single Judge**

Dated this Thursday, 11 March 2010

At The Hague, The Netherlands