

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 18 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 the Defence Application for extension of page limit for the Defence's  
Response to the Prosecutor's 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. Karim A.A. Khan

**Legal Representatives of Victims**

Mr Brahim Koné

Ms Hélène Cissé

Mr Akin Akinbote

Mr Frank Adaka

**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**

**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 v. Bahar Idriss Abu Garda*, at the International Criminal Court;<sup>1</sup>

**NOTING** the “Decision on the Confirmation of Charges” issued on 8 February 2010;<sup>2</sup>

**NOTING** the “Application for extension of page limit for the Prosecution’s Application for Leave to Appeal the Decision on the Confirmation of Charges”, filed on 10 March 2010, whereby the Prosecutor requested the Chamber to grant it 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’;<sup>3</sup>

**NOTING** the “Decision on extension of page limit for Application for leave to appeal”, issued on 11 March 2010, whereby the Single Judge granted the Prosecutor the ten-page extension he had requested;<sup>4</sup>

**NOTING** the “Application for Leave to Appeal the ‘Decision on the Confirmation of Charges’”, filed by the Prosecutor on 15 March 2010 (the Prosecutor’s Application);<sup>5</sup>

**NOTING** the “Defence Application for extension of page limit for the Defence’s Response to the “Prosecution’s Application for Leave to Appeal the

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

<sup>2</sup> ICC-02/05-02/09-243-Conf.

<sup>3</sup> ICC-02/05-02/09-250.

<sup>4</sup> ICC-02/05-02/09-251.

<sup>5</sup> ICC-02/05-02/09-252-Conf.

'Decision on the Confirmation of Charges"', filed on 17 March 2010, whereby the Defence requested the Chamber to grant it a ten-page extension of page limit for the filing of the Defence's Response to the Prosecutor's Application;<sup>6</sup>

**NOTING** regulations 37(2) and 65(3) of the Regulations of the Court;

**CONSIDERING** that the principle of equality of arms between the parties demands that the Defence be entitled to file its response to the Prosecutor's Application for leave to appeal under the same conditions as the Prosecutor filed such Application;

**FOR THESE REASONS**

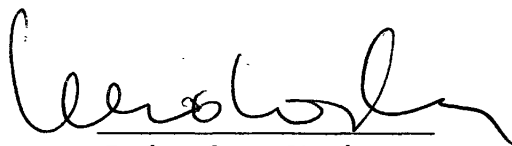
**GRANT**

the Defence Application for a ten-page extension of the page limit for the filing of the Response to the "Prosecution's Application for Leave to Appeal the 'Decision on the Confirmation of Charges.'"

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

Dated this Thursday, 18 March 2010

At The Hague, The Netherlands



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

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<sup>6</sup> ICC-02/05-02/09-253.