

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05
Date: 15 October 2008

PRE-TRIAL CHAMBER I

Before: Judge Akua Kuenyehia, Presiding Judge
Judge Anita Ušacka
Judge Sylvia Steiner

Registrar : Ms Silvana Arbia

SITUATION IN DAFUR, SOUDAN

**Public Document
with Confidential and *Ex Parte* Annex to Prosecution**

**Decision Requesting Additional Supporting Materials in relation to the
Prosecution's Request for a Warrant of Arrest against Omar Hassan Al Bashir**

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, Prosecutor
 Mr Essa Faal, Senior Trial Lawyer

Counsel for the Defence

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

Registrar
 Ms Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
 Section**

Other

PRE-TRIAL CHAMBER I of the International Criminal Court (“the Chamber” and “the Court” respectively);

NOTING the “Prosecution’s Application under Article 58”, filed by the Prosecution on 14 July 2008 in the record of the Darfur situation, whereby a request was made for the issuance of a warrant of arrest against Omar Hassan Al Bashir for genocide, crimes against humanity and war crimes;¹

NOTING the “Decision Convening a Hearing”,² issued by the Chamber on 19 September 2008, whereby an *ex parte* hearing with the Prosecution was convened for Wednesday 1 October 2008 at 11.00 hours; and was further rescheduled for Wednesday 1 October 2008 at 9.00 hours;³

NOTING the *ex parte* hearing held with the Prosecution on 1 October 2008;⁴

NOTING articles 19 and 58 of the *Rome Statute*;

CONSIDERING the need to request additional supporting materials in relation those aspects of the Prosecution’s request for a warrant of arrest for Omar Hassan Al Bashir referred to in the confidential and *ex parte* Annex to the present decision;

CONSIDERING the need to give the Prosecution sufficient time to prepare the additional supporting materials requested in the present decision;

FOR THESE REASONS

¹ ICC-01/05-15 1-US-Exp.

² ICC-01/05-158.

³ ICC-01/05-159: “Decision Rescheduling the 1 October 2008 *Ex Parte* Hearing and providing an Agenda”.

⁴ ICC-02/05-T-2-Conf-Exp-ENG-ET.

REQUESTS the Prosecution to submit additional supporting materials in relation to those aspects of the Prosecution's request for a warrant of arrest for Omar Hassan Al Bashir referred to in the confidential and *ex parte* Annex to the present decision.

GIVES the Prosecution until the 17 November 2008 at 16.00 hours to present the additional supporting materials requested in the present decision.

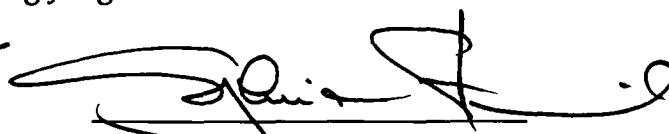
Done in English and French, the English version being authoritative.



Judge Akua Kuenyehia
Presiding Judge



Judge Anita Ušacka
Judge



Judge Sylvia Steiner
Judge

Dated this Wednesday 15 October 2008

At The Hague, The Netherlands