

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original : English

No.: ICC-02/05  
Date: 30 January 2009

**PRE-TRIAL CHAMBER I**

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

**SITUATION IN DARFUR, SUDAN**

**Public Decision with Confidential and *Ex Parte* Annex**

**Decision scheduling an *Ex Parte* Hearing and Providing an Agenda**

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, Prosecutor  
Mr Essa Faal, Senior Trial Lawyer

**Counsel for the Defence**

**Legal Representatives of the Victims**

**Legal Representatives of the 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

**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 “Court”, respectively);

**NOTING** the “Prosecution’s Application under Article 58”<sup>1</sup> (“the Prosecution Application”) 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;

**NOTING** the Notification to the Chamber<sup>2</sup> filed by the Prosecution on 28 January 2009;

**NOTING** articles 19, 58 and 68 of the Rome Statute;

**CONSIDERING** that the Chamber finds it necessary to receive additional information from the Prosecution and that therefore there is a need for an *ex parte* hearing to be held in closed session;

**CONSIDERING** that the agenda of the hearing is annexed *confidential and ex parte* Annex to the present decision;

**FOR THESE REASONS**

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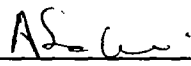
<sup>1</sup> ICC-02/05-151-US-Exp.

<sup>2</sup> ICC-02/05-174-Conf-Exp.

**DECIDES** to convene an *ex parte* hearing with the Prosecution, the Registrar and the Victims and Witnesses Unit to be held in closed session on Tuesday 3 February 2009 at 13.00 hours.

**DECIDES** that, in the said hearing, the items provided for in the agenda contained in Annex I to the present decision shall be discussed.

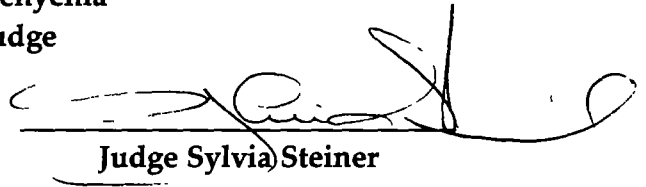
Done in both English and French, the English version being authoritative.



**Judge Akua Kuenyehia**  
**Presiding Judge**



**Judge Anita Ušacka**



**Judge Sylvia Steiner**

Dated this Friday 30 January 2009

At The Hague

The Netherlands