

**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

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”¹ (“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 Chamber² 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

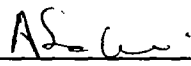
¹ ICC-02/05-151-US-Exp.

² 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.

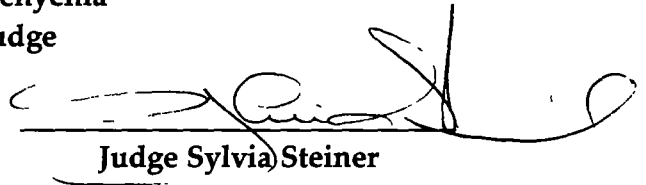
Done in both English and French, the English version being authoritative.



Judge Akua Kuenyehia
Presiding Judge



Judge Anita Ušacka



Judge Sylvia Steiner

Dated this Friday 30 January 2009

At The Hague

The Netherlands