

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05

Date: 25 February 2009

PRE-TRIAL CHAMBER I

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

SITUATION IN DARFUR, THE SUDAN

Public Redacted Version

**Request for Expedited Decision on the Prosecution's Application of
20 November 2008**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

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 Other
Section**

Procedural Background

1. On 20 November 2008, the Office of the Prosecutor ("the Prosecution" or "the Office") filed an Application pursuant to Article 58 of the Rome Statute ("the Application") requesting Pre-Trial Chamber I (the "PTC") to issue warrants of arrest or alternatively summonses to appear for [REDACTED]¹. The Application was classified "Confidential - Ex parte Prosecution Only". On the same day, the Prosecution filed as a Public Document a summary of the Application.
2. On 2 December 2008, the Prosecution filed its "Provision of Information Pursuant to Article 58", in which it provided the PTC with further information on [REDACTED] their willingness to cooperate with the Court.²
3. On 22 December 2008 the Prosecution requested authorization of the PTC to disclose [REDACTED] the names of the [REDACTED] individuals named in the Application in order to enable them to appear before the Court at the appropriate time.³ The Single Judge denied the Prosecution's request [REDACTED].⁴
4. On 1 February 2009, [REDACTED] submitted a letter [REDACTED] copied to the Office.
5. [REDACTED]

¹ ICC-02/05-163-Conf-Exp. 20 -11-2008.

² ICC-02/05-165-Conf-Exp + Anxsl-8.

³ ICC-02/05-167-Conf-Exp.

⁴ ICC-02/05-169-Conf-Exp.

6. On 23 February 2009, the Prosecution filed its "Submission of information on the Prosecution's Application Pursuant to Article 58 and request for summonses to appear"⁵ ("the 23 February Filing").
7. In the 23 February Filing, the Prosecution undertook to keep the Chamber informed of any developments in this regard, and that it could file a request for expedited consideration of the Application as soon as it receives information that one or more individuals willing to surrender to the Court have reached a safe place.

Submission of information

8. [REDACTED]⁶. [REDACTED].
9. [REDACTED]
10. [REDACTED]

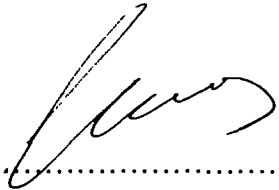
Request for an Expedited Decision on the Prosecution's Application

11. Given [REDACTED], the Prosecution respectfully requests that the PTC expedites its consideration of the Application [REDACTED].
12. As requested in the 23 February Filing, the Prosecution also requests that should the PTC decide to grant the Prosecution's Application under

⁵ ICC-02/05-194-Conf-Exp and its accompanying annexes.

⁶ [REDACTED]

Article 58(1) and decide to issue summonses to appear rather than warrants of arrest,[REDACTED]


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Luis Moreno-Ocampo

Prosecutor

Dated this 25th day of February 2009

The Hague, Netherlands