



Original: English

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

Date: 20 May 2009

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Presiding Judge
Judge Sanji Mmasenono Monageng
Judge Cuno Tarfusser

SITUATION IN DARFUR, THE SUDAN

IN THE CASE OF THE PROSECUTOR

V.

BAHR IDRIS ABU GARDA

PUBLIC DOCUMENT

Filing in the Record of Prosecution's Public Redacted Version of the Prosecutor's Application under Article 58, pursuant to the request contained in the Decision on the Prosecutor's Application under Article 58, dated 7 May 2009

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
Section**

Other

1. On 20 November 2008, the Office of the Prosecutor ("the Prosecution") filed an Application under Article 58 of the Rome Statute, requesting that Pre-Trial Chamber I ("PTC") issue warrants of arrest or, alternatively, summonses to appear for the three individuals named therein ("the Application").¹ The Application was classified as "Confidential-Ex parte Prosecution Only".
2. On 16 January 2009, pursuant to the 9 December Decision, the Prosecution filed the "Prosecution's Provision of Further Information in Compliance with the "Decision Requesting Additional Information and Supporting Materials".²
3. On 7 May 2009, the PTC rendered its decision on the Application³ ("the Decision"), and on the same date issued a summons for BAHR IDRIS ABU GARDA to appear before the Court on 14 May 2009.⁴ Both the decision and the summons were issued under seal.
4. On page 21, paragraph (ii) of the Decision, the Chamber requested "the Prosecutor to file in the record of the case against Bahr Idriss Abu Garda "a public redacted version of the Prosecutor's Application within 10 days of Bahr Idriss Abu Garda's arrival at the seat of the Court in The Hague".
5. In accordance with the Chamber's request, the Prosecution now files as Annex 1 to this filing, a public redacted version of the Application.



Luis Moreno-Ocampo
Prosecutor

Dated this 20 May 2009
The Hague, Netherlands

1 ICC-02/05-163-Conf-Exp.

2 ICC-02/05-172.

3 ICC-02/05-02/09-1-US

4 ICC-02/05-02/09-2-US