



Original: English

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

Date: 20 August 2009

**PRE-TRIAL CHAMBER I**

**Before: Judge Cuno Tarfusser, Single Judge**

**SITUATION IN DARFUR, THE SUDAN**

***IN THE CASE OF THE PROSECUTOR***

***V.***

***BAHAR IDRIS ABU GARDA***

**PUBLIC NOTE**

**Public Note on Prosecution's Notification to the Chamber of the Summaries to be relied upon *in lieu* of the Transcripts of Witnesses DAR-OTP-WWWW-0305, DAR-OTP-WWWW-0307 and DAR-OTP-WWWW-0314, and Request for Authorisation for Non-disclosure in the Summaries of Identities of Witnesses and Members of their Families Contained in the Transcripts, Pursuant to Article 68(5) of the Rome Statute and Rule 81(4) of the Rules of Procedure and Evidence**

**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**

Karim A.A. Khan

**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**

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**Registrar**

Ms Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Other  
Section**

**Notification to the Chamber of the Summaries to be relied upon in lieu of the Transcripts of Interviews of Witness WWW-DAR-OTP-0305, WWW-DAR-OTP-0307 and WWW-DAR-OTP-0314 and Request for Authorisation for Non-disclosure in the Summaries of Identities of Witnesses and Members of their Families Contained in the Transcripts, Pursuant to Article 68(5) of the Rome Statute and Rule 81(4) of the Rules of Procedure.**

1. On 17 August 2009, pursuant to the Single Judge's order issued on 11 August 2009<sup>1</sup>, the Prosecution notified the Single Judge of the Summaries of Transcripts of three (3) Witnesses DAR-OTP-WWW-0305, DAR-OTP-WWW-0307 and DAR-OTP-WWW-0314, which it proposes to rely on in lieu of transcripts of those witnesses in accordance with Article 61(5).
2. The Prosecution also requested the Single Judge to authorise non-disclosure in the summaries of the identities of witnesses and members of their families, pursuant to Article 68(5) of the Rome Statute and Rule 81(4) of the Rules of Procedure and Evidence.
3. The Summaries were submitted as Confidential *ex parte* Annexes A, B and C, respectively, of the cover filing.




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Luis Moreno-Ocampo, Prosecutor

Dated this 20<sup>th</sup> day of August 2009  
At The Hague, The Netherlands

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<sup>1</sup> ICC-02/05-02/09-49-Conf-Exp 11-08-2009