

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-02/09
Date: 07 October 2009

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Presiding Judge

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
*THE PROSECUTOR v. BAHAR IDRIS ABU GARDA***

Public Document

Defence's Observations on the proposed schedule for the confirmation hearing

Source: The Defence

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

The Office of the Prosecutor

Mr Lu s Moreno Ocampo

Mr Essa Faal

Counsel for the Defence

Karim A. A. Khan

Andrew J. Burrow

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(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

Deputy Registrar

Victims and Witnesses Unit

Detention Section

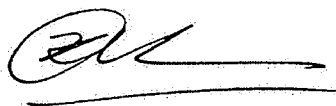
**Victims Participation and Reparations
Section**

Other

1. On 2 October 2009, the Single Judge issued a "Decision Distributing the Proposed Schedule for the Confirmation Hearing" in which the Single Judge invited the Defence, Prosecution, and the Legal Representatives of the Victims and the Registrar to submit by 7 October 2009 "their observations on the proposed schedule for the confirmation hearing."¹
2. The Defence respectfully submits that, with the exception of the observations mentioned below, it is fully content with the proposed schedule for the confirmation hearing ("proposed schedule").
3. The Defence notes that the one (1) witness it will call for the Confirmation Hearing is to be cross-examined by the Defence, not examined in chief.
4. The Defence observes that it shall perhaps require less time than is allotted in the proposed schedule for cross-examination of one (1) or two (2) of the three (3) Prosecution witnesses.
5. The Defence further notes that, as the Pre-Trial Chamber will observe from the "Defence's list of issues on jurisdiction, admissibility or concerning the proper conduct of the proceedings leading to the confirmation hearing", also filed today, there are no issues at this stage of the Defence's preparations that it wishes to raise regarding these subjects. Therefore, the Defence would have no objection to the Pre-Trial Chamber shortening the time period provided for discussion of these matters in the proposed schedule.

Respectfully submitted,

¹ ICC-02/05-02/09-129, p. 4



Mr. Karim A. A. Khan

Counsel for Bahar Idriss Abu Garda

Dated this 7th Day of October 2009

At The Hague, The Netherlands