

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-02/09
Date: 12 October 2009

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Presiding Judge

SITUATION IN DARFUR, SUDAN

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

**Public Document
with Public Annexure**

Defence's Request for leave to file a revised table containing the current level of confidentiality of the evidence it intends to present at 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 9 October 2009, the Defence submitted its table containing the current level of confidentiality of the evidence it intends to present at the confirmation hearing¹ in accordance with the Single Judge's Decision ordering the Defence and Prosecution "to file by Friday 9 October 2009 a table containing the current level of confidentiality of each and every piece of evidence they intend to present at the confirmation hearing."²
2. The Defence hereby respectfully seeks leave of the Single Judge to submit a revised table containing the current level of confidentiality of the evidence it intends to present at the confirmation hearing (annexed hereto), in which the item of evidence identified by ERN "DAR-D05-0002-0007" is reclassified from "Confidential" to "Public".

Respectfully Submitted,



Mr. Karim A. A. Khan

Counsel for Bahar Idriss Abu Garda

Dated this 12th Day of October 2009

At The Hague, The Netherlands

¹ ICC-02/05-02/09-150

² ICC-02/05-02/09-129, p. 4