

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 18 March 2010

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN DARFUR, SUDAN

IN THE CASE OF THE PROSECUTOR V. BAHAR IDRIS ABU GARDA

Public Document

**Decision on the Defence Application for extension of page limit for the Defence's
Response to the Prosecutor's Application for leave to appeal**

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

The Office of the Prosecutor

Mr Luis Moreno-Ocampo
Mr Essa Faal

Counsel for the Defence

Mr. Karim A.A. Khan

Legal Representatives of Victims

Mr Brahim Koné
Ms Hélène Cissé
Mr Akin Akinbote
Mr Frank Adaka

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

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

I, Judge Cuno Tarfusser, Single Judge responsible for carrying out the functions of Pre-Trial Chamber I in relation to the proceedings of the situation in Darfur, Sudan and any related cases emanating therefrom, including the case of *The Prosecutor v. Bahar Idriss Abu Garda*, at the International Criminal Court;¹

NOTING the “Decision on the Confirmation of Charges” issued on 8 February 2010;²

NOTING the “Application for extension of page limit for the Prosecution’s Application for Leave to Appeal the Decision on the Confirmation of Charges”, filed on 10 March 2010, whereby the Prosecutor requested the Chamber to grant it a ten-page extension of the page limit for the filing of the Application for Leave to Appeal the ‘Decision on the Confirmation of Charges’;³

NOTING the “Decision on extension of page limit for Application for leave to appeal”, issued on 11 March 2010, whereby the Single Judge granted the Prosecutor the ten-page extension he had requested;⁴

NOTING the “Application for Leave to Appeal the ‘Decision on the Confirmation of Charges’”, filed by the Prosecutor on 15 March 2010 (the Prosecutor’s Application);⁵

NOTING the “Defence Application for extension of page limit for the Defence’s Response to the “Prosecution’s Application for Leave to Appeal the

¹ ICC-02/05-210.

² ICC-02/05-02/09-243-Conf.

³ ICC-02/05-02/09-250.

⁴ ICC-02/05-02/09-251.

⁵ ICC-02/05-02/09-252-Conf.

'Decision on the Confirmation of Charges"', filed on 17 March 2010, whereby the Defence requested the Chamber to grant it a ten-page extension of page limit for the filing of the Defence's Response to the Prosecutor's Application;⁶

NOTING regulations 37(2) and 65(3) of the Regulations of the Court;

CONSIDERING that the principle of equality of arms between the parties demands that the Defence be entitled to file its response to the Prosecutor's Application for leave to appeal under the same conditions as the Prosecutor filed such Application;

FOR THESE REASONS

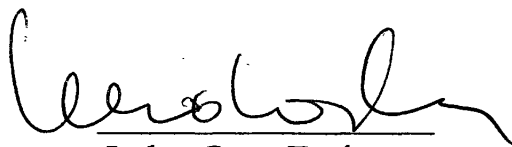
GRANT

the Defence Application for a ten-page extension of the page limit for the filing of the Response to the "Prosecution's Application for Leave to Appeal the 'Decision on the Confirmation of Charges.'"

Done in both English and French, the English version being authoritative.

Dated this Thursday, 18 March 2010

At The Hague, The Netherlands



Judge Cuno Tarfusser
Single Judge

⁶ ICC-02/05-02/09-253.