



Original: English

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

Date: 23 March 2010

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. BAHAR IDRIS ABU GARDA***

Public

**Defence's filing of a public redacted version of Confidential Annexure A to the
"Corrigendum to the Defence's 'Response to the 'Prosecution's Application for
Leave to Appeal the 'Decision on the Confirmation of Charges' '"**

Source: Defence

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

Mr Andrew J. Burrow

Legal Representatives of the Victims

Mr Brahima Koné

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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

I. Background

1. On 8 February 2010, Pre-Trial Chamber I rendered its "Decision on the Confirmation of Charges", in which it declined to confirm the charges brought against Mr Abu Garda.¹
2. On 15 March 2010, the Prosecution filed its application for leave to appeal the Confirmation Decision in confidential² and public redacted versions³.
3. On 19 March 2010, the Defence filed its confidential "Response to the 'Prosecution's Application for Leave to Appeal the 'Decision on the Confirmation of Charges' ""⁴.
4. On 23 March 2010, the Defence filed its confidential "Corrigendum to the Defence's 'Response to the 'Prosecution's Application for Leave to Appeal the 'Decision on the Confirmation of Charges' ""'. Confidential Annexure A of this filing contained the Defence's corrigendum to its "Response to the 'Prosecution's Application for Leave to Appeal the 'Decision on the Confirmation of Charges' ""'.

II. Filing of public redacted version of corrigendum to Defence Response

5. The Defence hereby submits as "Annexure 1" a public redacted version of Confidential Annexure A to the above noted 23 March filing.

Respectfully Submitted,



Mr. Karim A. A. Khan

Defence Counsel for Bahar Idriss Abu Garda

Dated this 23rd Day of March 2010

At The Hague, The Netherlands

¹ Pre-Trial Chamber I, *The Prosecutor v. Bahar Idriss Abu Garda* ("Abu Garda"), Decision on the Confirmation of Charges, 8 February 2010, ICC-02/05-02/09-243.

² *Abu Garda*, Prosecution's Application for Leave to Appeal the 'Decision on the Confirmation of Charges', 15 March 2010, ICC-02/05-02/09-252-Conf.

³ ICC-02/05-02/09-252-Red.

⁴ *Abu Garda*, 19 March 2010, ICC-02/05-02/09-256-Conf.