

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-01/09
Date: 24 August 2009

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN DARFUR, SUDAN

THE PROSECUTOR V. OMAR HASSAN AHMAD AL BASHIR

Public Document

Decision on the “Requête pour l’obtention d’une ordonnance condamnant les déclarations du Procureur en date du 15 juillet 2010”

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

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

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Ms Michelyne C. St-Laurent

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. Omar Hassan Ahmad Al Bashir*, at the International Criminal Court¹;

NOTING the “Requête pour l’obtention d’une ordonnance condamnant les déclarations du Procureur en date du 15 juillet 2010”, dated 5 August 2010 (the “Request”),² whereby Ms. Michelyne C. St-Laurent brought to the Chamber's attention an article authored by the Prosecutor that appeared in the newspaper “The Guardian” following the issuance of an arrest warrant for Omar Al Bashir for the crime of genocide, questioning the propriety of the statements contained in the article and requesting the Chamber to take all the measures deemed appropriate;

NOTING that Ms. St-Laurent brings her filing as the *ad-hoc* defence Counsel for Omar Al-Bashir;

NOTING that Ms. St-Laurent has been entrusted by the Chamber, in accordance with regulation 76(1) of the Regulations of the Court, with the task of representing and protecting the interests of the defence only within the context and for the purposes of the proceedings related to victims’ applications for participation;³

NOTING that the Request filed before the Chamber does not relate to any such proceedings;

¹ ICC-02/05-233.

² ICC-02/05-01/09-103.

³ ICC-02/05-01/09-38; ICC-02/05-01/09-50; ICC-02/05-01/09-85.

CONSIDERING that, accordingly, the Request falls outside the scope and purpose of the mandate vested with Ms. St-Laurent and is therefore inadmissible, this preventing the Single Judge from even addressing its merits;

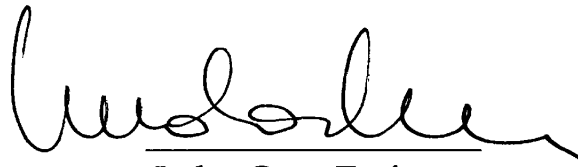
FOR THESE REASONS

DECLARE the Request inadmissible and therefore **REJECT** it;

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

Dated this Tuesday, 24 August 2010

At The Hague, The Netherlands

A handwritten signature in black ink, appearing to read 'Cuno Tarfusser', written over a horizontal line.

Judge Cuno Tarfusser
Single Judge