

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **3 February 2009**

PRE-TRIAL CHAMBER I

Before: Judge Akua Kuenyehia, Presiding Judge
Judge Anita Ušacka, Judge
Judge Sylvia Steiner, Judge

SITUATION IN DARFUR, THE SUDAN

Public Document

Prosecutions written submissions Pursuant to "Decision scheduling an Ex Parte Hearing and Providing an Agenda" dated 30 January 2009

Source: Office of the Prosecutor

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

The Office of the Prosecutor

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

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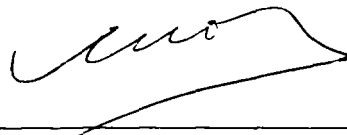
Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations Other
Section**

1. On 14 July 2008, the Office of the Prosecutor (“Prosecution”) filed under seal, an Application under Article 58 of the Rome Statute, requesting that Pre-Trial Chamber I issue a Warrant of Arrest for Omar Hassan Ahmad **AL BASHIR** (“Application”)¹.
2. On 21 August 2008 the Prosecution filed a Corrigendum² to the Application.
3. On 28 January 2009, the Prosecution filed a Notification to the Chamber Pursuant to Articles 54(3)(f) and 68(1) of the Rome Statute.³
4. On 30 January 2009, the Pre-trial Chamber issued a decision entitled “Decision scheduling an Ex Parte Hearing and Providing an Agenda”⁴ . In the decision the Chamber scheduled an Ex Parte Hearing to be held on 3 February 2009 and attached a confidential annex⁵ which contained the agenda for the hearing and listed a number of questions addressed to the Prosecution.
5. Pursuant to the requests contained in the agenda referred to above, the Prosecution attaches to this filing Confidential ex parte Annex 1, containing its written submission to the questions addressed to it in the hearing agenda.
6. The Prosecution further attaches to this filing as confidential Annex 2 to 5 materials referred to in its submissions contained in Annex 1.



Luis Moreno-Ocampo
Prosecutor

Dated this 3rd day of February 2009

The Hague, Netherlands

¹ ICC-02/05-151-US-Exp.

² ICC-02/05-154-US-Exp

³ ICC-02/05-174-Conf-Exp

⁴ ICC-02/05-176

⁵ ICC-02/05-176-Conf-Exp-Anx I