



Statement by the Registrar of the ICC:

Thank you all for coming today. We need you here to help the affected communities and general public to follow and understand the proceedings before the International Criminal Court.

As you know, on Monday 19 October 2009, the confirmation hearing will commence before Pre-Trial Chamber I in the case of *The Prosecutor v. Bahr Idriss Abu Garda* in the presence of the suspect, who has not waived his right to attend that hearing.

Abu Garda is the first suspect to appear before the International Criminal Court in the context of the situation in Darfur (Sudan), which was referred to the Court by the UN Security Council. It is also the first time that a suspect is appearing voluntarily without being arrested. Bahr Idriss Abu Garda has shown his willingness to cooperate with the Court. The judges issued him with a summons to appear in court. His first appearance was on 18 May. He is suspected of three war crimes allegedly committed on 29 September 2007 against the African Union Peacekeeping Mission in the Sudan.

My thoughts are with peacekeepers and other workers of humanitarian organisations who provide essential security and help to support millions of people in countries facing armed conflicts. It is essential that they benefit effectively from the legal protection afforded to them under international law.

The purpose of the confirmation hearing is to safeguard the rights of suspects by avoiding proceedings being brought against them without sufficient grounds. Pre-Trial Chamber I will have 60 days from the close of the confirmation hearing in which to render its decision. If the charges are confirmed, and without prejudice to the issue of the suspect's guilt, which must be proved beyond all reasonable doubt, the case will be transferred to a Trial Chamber, which will conduct the trial phase of the proceedings.

The Registrar's role is not confined to making the necessary logistical arrangements for the hearing. At this confirmation hearing, as in all proceedings before the Court, an essential aspect of my role is to make available to the Defence the resources needed to prepare their case properly in accordance with the principle of equality of arms. This also includes financial resources when the suspect is recognised as indigent. Our investigation into Abu Garda's financial situation is not yet complete, but he is temporarily receiving legal aid during this preliminary phase.

One of the unique features of the International Criminal Court, which was not available before in the other international courts, is the participation of victims in the proceedings. The voices of the victims will be heard and their suffering acknowledged. The Registry also supports the legal representatives of the victims in helping them to fulfil their role effectively. Despite the Registry's limited resources, we also attach particular importance, following a review of the financial situation of victims, to helping those recognised as indigent to participate in the proceedings. In the Abu Garda case, 78 victims from various African countries have been authorised at this stage to take part in the hearing. Some of them are already receiving legal aid, and we are continuing to review the situation of the others. On behalf of these victims, their four legal representatives will make opening and closing statements explaining their clients' personal interests in the case. They are entitled to intervene on issues of fact or law which could affect those interests.

I would like to thank the Dutch authorities, with whom we have worked closely together, under intense time constraints, and who have made very substantial efforts, under our Headquarters Agreement, to provide optimal conditions for Abu Garda's stay here and presence at his initial appearance, and at these confirmation hearings, which are due to last for two weeks. Their support is also vital in facilitating the hearing of the three prosecution witnesses and one defence witness, who will be called to give evidence at these hearings, which will run from 19 to 29 October.