

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09

Date: 17 March 2011

TRIAL CHAMBER IV

Before: Judge Fatoumata Dembele Diarra
Judge Joyce Aluoch
Judge Silvia Fernández de Gurmendi

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
*THE PROSECUTOR v. ABDALLAH BANDA ABAKAER NOURAIN
AND SALEH MOHAMMED JERBO JAMUS***

**Public Document
With Annexes 1-3 Underseal Ex Parte Registry**

**Transmission to Trial Chamber IV of the Full Record of the Proceedings,
including the Decision Confirming the Charges**

Decision/Order/Judgment to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Mr Essa Faal, Senior Trial Lawyer

Counsel for the Defence

Mr Karim A.A. Khan
Mr Andrew J. Burrow

Legal Representatives of the Victims

Mr Brahim Koné
Ms Hélène Cissé
Mr Akin Akinbote
Mr Frank Adaka
Sir Geoffrey Nice & Mr. Rodney Dixon

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massida

**The Office of Public Counsel for the
Defence**

Mr Xavier-Jean Keïta

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Counsel Support Section

Mr Esteban Peralta Losilla

Victims and Witnesses Unit

Ms Maria Luisa Martinod-Jacome

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Detention Section

Other

THE REGISTRAR of the International Criminal Court (the “Court”);

NOTING the “*Decision on the Confirmation of Charges*” issued by Pre-Trial Chamber I (the “Chamber”) on 7 March 2011;¹

NOTING the “*Corrigendum of the “Decision on the Confirmation of Charges”*” issued by the Chamber on 8 March 2011;²

NOTING the “*Order to the Registrar to transmit the Decision on confirmation of charges and the record of the proceedings to the Presidency*” issued by the Chamber on 15 March 2011;³

NOTING the “*Transmission to the Presidency of the Decision on the Confirmation of Charges and of the Record of the Proceedings*” submitted by the Registry on 15 March 2011;⁴

NOTING the “*Decision constituting Trial Chamber IV and referring to it the case of the Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*” issued by the Presidency on 16 March 2011;⁵

NOTING rule 130 of the Rules of Procedure and Evidence (“Rules”) and regulation 23*bis* (1) of the Regulations of the Court;

¹ ICC-02/05-03/09-121-Conf

² ICC-02/05-03/09-121-Conf-Corr; ICC-02/05-03/09-121-Corr-Red

³ ICC-02/05-03/09-122

⁴ ICC-02/05-03/09-123 + US-Exp-Anxs1-3

⁵ ICC-02/05-03/09-124

CONSIDERING that on 15 March 2011, the Registry transmitted to the Presidency the full record of the proceedings before Pre-Trial Chamber I, including the decision confirming the charges;

CONSIDERING that on 16 March 2011, the Presidency constituted Trial Chamber IV and transmitted to the newly constituted Chamber the full record of the proceedings;

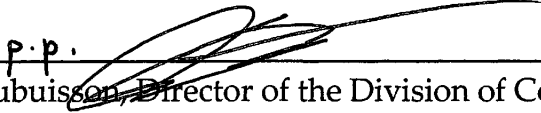
CONSIDERING that annexes 1-3 to the present document contain underseal information;

SUBMITS respectfully the said annexes as underseal *ex parte* available only to the Registry;

INFORMS respectfully that Trial Chamber IV has been provided with electronic access to the decision confirming the charges and to the full record of the proceedings in the case the *Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*;

TRANSMITS the following indexes:

- An index of all court records in the case (Annex 1 hereto attached);
- An index of all transcripts in the case (Annex 2 hereto attached);
- An index of all evidence registered in the case (Annex 3 hereto attached).



Marc Dubuisson, Director of the Division of Court Services
Per delegation of
Ms Silvana Arbia, Registrar

Dated this 17 March 2011

At The Hague in The Netherlands.