

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 12 April 2011

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Fatoumata Dembele Diarra
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 confidential Annex**

Agenda of the status conference scheduled for 19 April 2011

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

The Office of the Prosecutor

Mr Luis Moreno-Ocampo
Ms Fatou Bensouda

Counsel for the Defence

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

Legal Representatives of Victims

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

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

Ms Maria Luisa Martinod-Jacome

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Others

1. On 30 March 2011, Trial Chamber IV ("Trial Chamber"), pursuant to Rule 132(1) of the Rules of Procedure and Evidence ("Rules"), ordered that a status conference be held on 19 April 2011 at 14.30.¹
2. The Trial Chamber subsequently notified a preliminary agenda to the Office of the Prosecutor ("prosecution") and the defence of Messrs Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus ("defence"), as well as the participants and the Registry, and instructed them to file written submissions in response by 16.00 on 14 April 2011.²
3. The Trial Chamber further requested the prosecution and the defence ("parties"), the participants and the Registry to inform it of any additional item they would wish to be added to the agenda by 8 April 2011.³
4. A request for addition of an item to the agenda was received from the defence on 8 April 2011.⁴
5. In order to facilitate the preparation of the parties, the participants and the Registry, the Trial Chamber issues the following final agenda.
6. The following items shall be dealt with at the status conference:

A. Status of the agreement between the parties as to evidence pursuant to Rule 69 of the Rules

B. Timing and volume of disclosure by the prosecution

- a. Submissions from the prosecution on the estimated length of its presentation of evidence, outstanding issues relating to redactions, the

¹ Order scheduling a status conference, 30 March 2011, ICC-02/05-03/09-127, paragraph 1.

² Email communication between the Legal Adviser to the Trial Division and the parties, participants and the Registry dated 4 April 2011, at 12.24.

³ *Ibid.*

⁴ Email communication between the defence and the Legal Adviser to the Trial Division dated 8 April 2011, at 13.16.

disclosure of Article 54(3)(e) of the Rome Statute ("Statute") material and material disclosed pursuant to Article 67(2) of the Statute and Rule 77 of the Rules;

b. Submissions from the defence as to the language of disclosure.

C. Issues concerning witnesses

a. Submissions from the prosecution on anticipated or outstanding issues concerning witness protection, the disclosure of the identities of the witnesses it intends to call, as well as any anticipated referrals to the Court's witness protection program;

b. Submissions from the parties as to whether or not they intend to call experts in accordance with Regulation 44 of the Regulations of the Court ("Regulations"), and if so, on the possibility of using joint instructions.

D. Preparation of the defence

a. Submissions from the defence on whether it intends to advance a defence in accordance with Rules 79 and 80 of the Rules;

b. Submissions from the defence on the estimated length of time needed for preparation following disclosure.

E. Outstanding issues relating to victim participation

a. Submissions from the Registry on any outstanding or anticipated victim applications, including an estimated time line for the filing of such applications with the Trial Chamber and the notification of redacted versions thereof to the parties for observations.

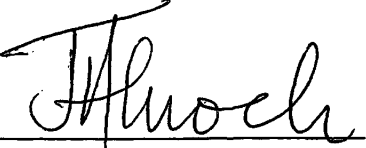
F. Languages to be used in the proceedings

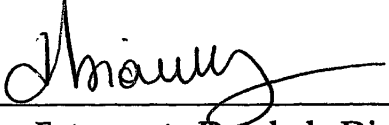
- a. Submissions from the prosecution on the languages spoken by the witnesses it intends to call;
- b. Submissions from the defence on the languages to be used at trial;
- c. Submissions from the Registry as to its readiness to provide simultaneous interpretation from and into Zaghawa.

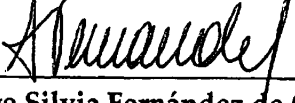
G. Date of the trial

- a. Submissions from the parties and participants on the earliest date by which they would be ready for the trial to commence, as well as any related practical matters.
7. Following the public status conference, the Trial Chamber will hold a prosecution, defence and Registry only status conference. The additional agenda items to be discussed during this status conference are appended to the present order in a confidential annex.

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



Judge Joyce Aluoch
Presiding Judge

Judge Fatoumata Dembele Diarra

Judge Silvia Fernández de Gurmendi

Dated this 12 April 2011

At The Hague, The Netherlands