

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 21 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

**Order requesting the prosecution to file a response to the defence oral
application of 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 & 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

Victims and Witnesses Unit

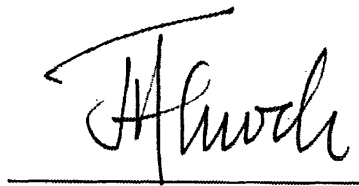
Detention Section

**Victims Participation and Reparations
Section**

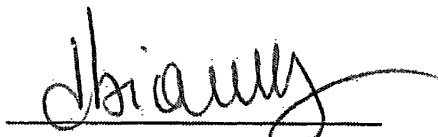
Others

1. During the status conference on 19 April 2011, the defence of Messrs Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus ("defence") made an oral application raising issues about the intended re-interviews by the Office of the Prosecutor ("prosecution") of six witnesses.¹
2. In accordance with Regulation 28(2) of the Regulations of the Court, the prosecution is instructed to file, by 16.00 on 4 May 2011, a response to the defence oral application including its observations on potential "safeguards", as suggested by the defence,² that could be instituted during any possible re-interviews.

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



Judge Joyce Aluoch



Judge Fatoumata Dembele Diarra



Judge Fernández de Gurmendi

Dated this 21 April 2011

At The Hague, The Netherlands

¹ Prosecution's Response to the Trial Chamber's Request for Written Submissions on Issues to be Addressed During the Status Conference on 19 April 2011, 14 April 2011, ICC-02/05-03/09-131, paragraph 6 and Transcript of hearing on 19 April 2011, ICC-02/05-03/09-T-10-ENG ET, page 11, line 25 to page 13, line 18; page 13, lines 22-24; page 14, lines 3-11; page 15, lines 11-15; and page 15, line 17 to page 17, line 1.

² Transcript of hearing on 19 April 2011, ICC-02/05-03/09-T-10-ENG ET, page 13, lines 4-7.