

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 6 September 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

Order inviting the Registrar to appoint a common legal representative

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 Nicholas Koumjian

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**

Ms Fiona McKay

Others

Trial Chamber IV ("Chamber") of the International Criminal Court ("Court") in the case of *The Prosecutor v. Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus*, in accordance with Articles 64(2) and 68(3) of the Rome Statute and Rules 16(1)(b) and 90 of the Rules of Procedure and Evidence ("Rules"), issues the following Order inviting the Registrar to appoint a common legal representative.

1. On 15 April 2011, the Registry filed its "Report recommending a decision concerning the common legal representation of victims participating in the case".¹
2. On 21 April 2011, the Chamber issued its "Order instructing the Registry to start consultations on the organisation of common legal representation",² in which it, *inter alia*, ordered the Registry to consult with the 89 participating victims with a view to appointing a common legal representative or common legal representatives representing their interests for the remainder of the proceedings in this case, in the presence of their current legal representatives.³
3. On 25 August 2011, upon instruction by the Chamber,⁴ the Registry filed its "Proposal for the common legal representation of victims" ("Proposal") together with annexes,⁵ which was notified on 26 August 2011. On this latter date, the

¹ Report recommending a decision concerning the common legal representation of victims participating in the case, 15 April 2011, ICC-02/05-03/09-134.

² Order instructing the Registry to start consultations on the organisation of common legal representation, 21 April 2011, ICC-02/05-03/09-138.

³ ICC-02/05-03/09-138, page 6.

⁴ Email communication from the Chamber to the Registry through the Legal Adviser to the Trial Division on 11 August 2011, at 10.09.

⁵ Proposal for the common legal representation of victims, 25 August 2011 (notified on 26 August 2011), ICC-02/05-03/09-203 and public annexes 1 and 3, confidential and public redacted annex 2, confidential *ex parte* only available to the Registry annexes 4, 5, 6 and 7.

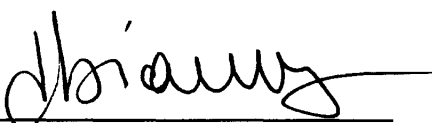
Registry further filed a confidential *ex parte* Registry only addendum to its Proposal, which was notified on 29 August 2011 (“Addendum”).⁶

4. The Chamber takes note of the Registry’s Proposal and its Addendum and invites the Registrar to proceed in accordance with Rule 90(3) of the Rules no later than 16.00 on 14 September 2011.

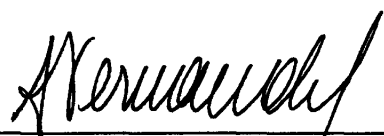
Done in both English and French, the English version being authoritative.



Judge Joyce Aluoch
Presiding Judge



Judge Fatoumata Dembele Diarra



Judge Silvia Fernandez de Gurmendi

Dated this 6 September 2011

At The Hague, The Netherlands

⁶ Addendum to Proposal for the common legal representation of victims, 26 August 2011 (notified on 29 August 2011), ICC-02/05-03/09-204-Conf-Exp.