

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-01/09
Date: 13 January 2012

PRE-TRIAL CHAMBER I

Before: Judge Sanji Mmasenono Monageng, Presiding Judge
Judge Sylvia Steiner
Judge Cuno Tarfusser

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
*THE PROSECUTOR v. OMAR HASSAN AHMAD AL BASHIR***

Public Document

Report of the Registry on the execution of the "Corrigendum to the Decision Pursuant to Article 87(7) of the Rome Statute on the Failure by the Republic of Malawi to Comply with the Cooperation Requests Issued by the Court with Respect to the Arrest and Surrender of Omar Hassan Ahmad Al Bahsir"

Source: Registry

Document 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

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Competent authorities of the Republic of
Malawi

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

NOTING Pre-Trial Chamber I’s (“the Chamber”) “Decision on the Prosecution’s Application for a Warrant of Arrest against Omar Hassan Ahmad Al Bashir” dated 4 March 2009;¹

NOTING warrants of arrest against Omar Al-Bashir dated 4 March 2009 and 12 July 2010;²

NOTING the “Request to all States parties to the Rome Statute for the arrest and Surrender of Omar Hassan Ahmad Al Bashir”³ dated 6 March 2009 and the “Supplementary Request to All States Parties to the Rome Statute for the Arrest and Surrender of Omar Hassan Ahmad Al Bashir”⁴ dated 21 July 2010;

NOTING the Registry’s “Report on the visit of Omar Al Bashir to Malawi” dated 18 October 2011;⁵

NOTING the “Decision requesting observations about Omar Al-Bashir’s recent visit to Malawi” dated 19 October 2011;⁶

NOTING the Registry’s “Transmission of the observations from the Republic of Malawi” dated 11 November 2011;⁷

¹ ICC-02/05-01/09-3.

² ICC-02/05-01/09-1; ICC-02/05-01/09-95.

³ ICC-02/05-01/09-7.

⁴ ICC-02/05-01/09-96.

⁵ ICC-02/05-01/09-136-Conf.

⁶ ICC-02/05-01/09-137.

⁷ ICC-02/05-01/09-138 with confidential annexes 1 and 2.

NOTING the “Corrigendum to the Decision Pursuant to Article 87(7) of the Rome Statute on the Failure by the Republic of Malawi to comply with the Cooperation Requests Issued by the Court with Respect to the Arrest and Surrender of Omar Hassan Ahmad Al Bashir” (the “Decision”) dated 13 December 2011;⁸

NOTING article 87(7) of the Rome Statute, rule 176(2) of the Rules of Procedure and Evidence, Regulation 23 *bis* and 109 (4) of the Regulations of the Court and article 17(3) of the Negotiated Relationship Agreement between the International Criminal Court and the United Nations;

CONSIDERING that Pre-Trial Chamber I referred “the present decision to the President for transmission to the United Nations Security Council, through the Secretary-General of the United Nations and to the Assembly of States Parties to the Statute”;⁹

INFORMS the Chamber as follows:

1. On 13 December 2011, the Registry transmitted the Decision to the Embassy of the Republic of Malawi to the Kingdom of Belgium.
2. On 13 December 2011 the Registry transmitted by a *note verbale* the Presidency’s referral of the Decision and its annex to the United Nations Secretary-General for onward transmission to the United Nations Security Council.
3. On 13 December 2011 the Registry transmitted by an internal memo the Presidency’s referral of the Decision and its annex to the Secretariat of the Assembly of States Parties for onward transmission to the President of the Assembly of States Parties.

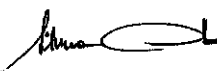
⁸ ICC-02/05-01/09-139-Corr.

⁹ ICC-02/05-01/09-139-Corr P.21

4. The Registry files the annexes with redactions in order to protect the identity of the staff members of the Registry, the Embassy of the Republic of Malawi and the United Nations.

TRANSMITS in annex:

- The *note verbale* sent to the Embassy of the Republic of Malawi to the Kingdom of Belgium and the Memorandum of Notification (Annex 1);
- The *note verbale* sent to the United Nations Secretary-General, the letter from the Presidency and the Memorandum of Notification (Annex 2);
- The internal memo to the Director of the Secretariat of the Assembly of States Parties, the letter from the Presidency (Annex 3).



Silvana Arbia, Registrar

Dated this 13 January 2012

At The Hague, The Netherlands