

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 30 January 2012

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 Report of the Registrar on the Execution of the Decision ICC-02/05-03/09-268-Red
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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

Mr Karim A.A. Khan

Mr Nicholas Koumjian

Legal Representatives of the Victims

Miss Hélène Cissé

Mr Jens Dieckman

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

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Counsel Support Section

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

**Other
African Union**

The Registrar of the International Criminal Court (“the Court”):

NOTING the “Defence Application pursuant to Articles 57(3)(b) & 64(6)(a) of the Statute for an order for the preparation and transmission of a cooperation request to the African Union”¹ dated 11 May 2011;

NOTING the “Decision on ‘Defence Application pursuant to Articles 57(3)(b) & 64(6)(a) of the Statute for an order for the preparation and transmission of a cooperation request to the African Union’”² dated 1 July 2011;

NOTING the “Second Defence Application pursuant to Articles 57(3)(b) & 64(6)(a) of the Statute for an order for the preparation and transmission of a cooperation request to the African Union”³ dated 20 October 2011;

NOTING the “Public Redacted Decision on the second defence application pursuant to Articles 57(3)(b) & 64(6)(a) of the Statute” dated 21 December 2011;⁴

NOTING article 87(6) of the Rome Statute, rule 176(2) of the Rules of Procedure and Evidence and regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that Trial Chamber IV (“the Chamber”) ordered the Registry “(a) to transmit forthwith a cooperation request pursuant to Article 87(6) of the Statute asking for the assistance of the African Union in this matter; (b) to serve the request on the African Union through the proper channels of communication as provided for

¹ ICC-02/05-03/09-146 and confidential and ex parte annexes A, B, C, F and H, confidential annexes D and G and public annex E.

² ICC-02/05-03/09-170.

³ ICC-02/05-03/09-234.

⁴ ICC-02/05-03/09-268-Red.

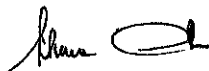
in Rules 176(2) and (4) and 177(2) of the Rules; and (c) to report back to the Chamber on the implementation of the request no later than 16.00 on 30 January 2012;⁵

INFORMS the Chamber as follows:

1. The Registry notified the African Union Commission by a Note Verbale dated 4 January 2012;
2. The Registry did not receive an acknowledgment of receipt nor a response from the African Union Commission. Several attempts to reach the focal points have been unsuccessful. On 27 January 2012, when inquiring about the status of the request, the Registry was informed by the legal officer of the Commission that the Commission was unable to reply due to the preparation of and the ongoing elections at the African Union Commission.

TRANSMITS in annex:

- The note verbale sent to the African Union Commission.



Silvana Arbia, Registrar

Dated this 30 January 2012

At The Hague, The Netherlands

⁵ ICC-02/05-03/09-268-Red, p.p.12-13.