

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **28 June 2012**

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Silvia Fernández de Gurmendi
Judge Chile Eboe-Osuji

SITUATION IN THE DARFUR, SUDAN

IN THE CASE OF *THE PROSECUTOR*

v.

ABDALLAH BANDA ABAKAER NOURAIN

&

SALEH MOHAMMED JERBO JAMUS

Public

**Defence Submission on Additional Agenda Items for 11 and 12 July 2012 Hearing
and Status Conference**

Sources: Defence Team of Abdallah Banda Abakaer Nourain
Defence Team of Saleh Mohammed Jerbo Jamus

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

The Office of the Prosecutor

Ms. Fatou Bensouda
Mr. Adebawale Omofade

Counsel for the Defence

Mr. Karim A. A. Khan QC
Mr. Nicholas Koumjian

Legal Representatives of the Victims

Ms. Hélène Cissé
Mr. Jens Dieckmann

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

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 15 June 2012, the Trial Chamber issued the “Order on the scheduling of a hearing and status conference” (“Order”), which included a preliminary agenda for the 11 and 12 July 2012 hearing and status conference, and instructed the parties and the Registry to formally file any additional agenda items by 28 June 2012 should they have any.¹
2. Pursuant to the Trial Chamber’s Order, the Defence for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus (“Defence”) hereby respectfully submit two additional agenda items.

(a) Additional *Inter Partes* Agenda Item for Hearing and Status Conference

3. The Defence request that they have the opportunity to update the Trial Chamber during a confidential part of the status conference with the Prosecution and Registry only on matters raised *inter partes* at the confidential status conference held on 19 June 2012, including logistical and security issues.

(b) Additional Agenda Item for the *Ex Parte* Status Conference with the Defence and Registry only

4. The Defence request that they have the opportunity to update the Trial Chamber on matters raised *ex parte* at the 19 June 2012 status conference.

¹ ICC-02/05-03/09-348-Conf, para. 13. A public redacted version of the Order was filed on 26 June 2012 (ICC-02/05-03/09-348-Red).

Respectfully Submitted,



Mr. Karim A. A. Khan QC

Lead Counsel

for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus



Mr. Nicholas Koumjian

Co-Lead Counsel

Dated this 28nd Day of June 2012

At Nairobi, Kenya

Dated this 28nd Day of June 2012

At The Hague, The Netherlands