

**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 DARFUR, SUDAN

**IN THE CASE OF
THE PROSECUTOR *v.* ABDALLAH BANDA ABAKAER NOURAIN
AND
SALEH MOHAMMED JERBO JAMUS**

Confidential

Registrar's submission on an additional item to be added to the preliminary agenda issued in Trial Chamber IV's "*Order on the scheduling of a hearing and status conferences*" dated 15 June 2012

Source: The Registrar

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

The Office of the Prosecutor

Ms Fatou Bensouda

Counsel for the Defence

Mr Karim A.A. Khan

Mr Nicholas Koumjian

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

Amicus Curiae

REGISTRY

Registrar

Silvana Arbia

Counsel Support Section

Deputy Registrar

Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registrar of the International Criminal Court (the "Court");

NOTING the "*Order on the scheduling of a hearing and status conferences*" (the "Order") issued by Trial Chamber IV (the "Chamber") on 15 June 2012;¹

NOTING articles 87 and 97 of the Rome Statute and regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that the Chamber ordered that "*Should the parties and the Registry wish to add other items to the preliminary agenda, they should indicate these by way of a formal filing no later than 16.00 on 28 June 2012.*"²

CONSIDERING that the conditions of stay for the accused persons while present on the territory of the Kingdom of the Netherlands is one of the items included in the preliminary agenda issued in the Order;³

SUBMITS to the Chamber that it would be very useful for the Registry to be informed of whether the Chamber intends to attach conditions to the appearance of Mr. Banda and Mr. Jerbo during the trial proceedings. On the basis of these conditions, the Registry will be in a position to start the consultations with the Host State regarding the conditions of stay of the two accused persons in the Host State;

¹ ICC-02/05-03/09-348-Conf.

² *Ibid.* paragraph 13.

³ *Ibid.* paragraph 16 B.

SUBMITS the present document confidential to be in line with the classification of the Order;

RESPECTFULLY SUBMITTED



Marc Dubuisson,
Director of the Division of Court Services
On behalf of Silvana Arbia
Registrar

Dated this 28 June 2012

At The Hague, the Netherlands