

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 23 April 2013

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Silvia Fernandez 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

**Public Redacted Version of "Defence Notification of the Death of Mr Saleh
Mohammed Jerbo Jamus" submitted on 21 April 2013**

Sources: 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 Adebowale Omofade

Counsel for the Defence

Mr Karim A. A. Khan QC
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

Mr Herman von Hebel

Counsel Support Section

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Defence of Mr Saleh Mohammed Jerbo Jamus ("Defence") hereby notifies the Trial Chamber, with great sadness, that it received the news yesterday, 20 April 2013, that Mr Jerbo died in North Darfur, Sudan on the afternoon of 19 April 2013, and was buried the same day.
2. The Defence was informed on 20 April [REDACTED], that Mr Jerbo was killed during an attack on his location by forces of the Justice and Equality Movement ("JEM") faction led by Gibril Ibrahim. Annexed to this notification is a brief news article reporting an armed confrontation between these two factions of JEM in North Darfur on 19 April 2013. The article does not contain details of casualties.
3. [REDACTED].
4. [REDACTED]. The Defence invites the Prosecutor and Registrar to utilise whatever resources may be at their disposal to verify the information pertaining to Mr Jerbo. The Defence shall file a public version of this notification in a timely fashion once it has obtained additional information.
5. [REDACTED].
6. [REDACTED]. Since first voluntarily appearing before the Court on 17 June 2010, Mr Jerbo never waived in his cooperation with the ICC, no matter the threat to his physical safety that such cooperation entailed. The members of the Defence consider it an honour and a privilege to have represented Mr Jerbo. In accordance with the principle of the presumption of innocence enshrined in Article 66 of the Rome Statute, the Defence note that Mr Jerbo died an innocent man.

Respectfully Submitted,



Mr. Karim A. A. Khan QC
Lead Counsel



Mr. Nicholas Koumjian
Co-Lead Counsel

for Saleh Mohammed Jerbo Jamus

Dated this 23rd Day of April 2013
At Nairobi, Kenya

Dated this 23rd Day of April 2013
At The Hague, The Netherlands