



Original: English

No.: ICC-02/05-01/12

Date: 25 April 2013

PRE - TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul
Judge Cuno Tarfusser

SITUATION IN DARFUR, THE SUDAN

IN THE CASE OF

***THE PROSECUTOR v. ABDEL RAHEEM MUHAMMAD
HUSSEIN***

URGENT

Public

with public Annex A

Prosecution notification of possible travel in the case of The Prosecutor v. *Abdel Raheem Muhammad Hussein* pursuant to Article 97 of the Rome Statute

Source: Office of the Prosecutor

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

The Office of the Prosecutor

Ms. Fatou Bensouda, Prosecutor

Mr. James Stewart, Deputy Prosecutor

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**

Mr Xavier-Jean Keïta

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Herman von Hebel

Deputy Registrar

Mr. Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Introduction

1. The purpose of this filing is to notify the Chamber of the possibility of travel by Abdel Raheem Muhammad Hussein to the Republic of Chad to attend a bilateral meeting scheduled for 25-26 April 2013 and to request that the Republic of Chad be informed of its obligation to arrest Abdel Raheem Muhammad Hussein pursuant to the arrest warrant of this Court.

Submission as an Urgent Filing

2. This notification is classified as “Urgent” because the proposed travel by Abdel Raheem Muhammad Hussein is imminent – on 25-26 April 2013 – and the relief being sought would be rendered moot if a decision is not made by the Chamber prior to his travel.

Procedural Background

3. On 2 December 2011, the Prosecution filed its application for an arrest warrant for Abdel Raheem Muhammad Hussein.¹
4. On 1 March 2012, Pre-Trial Chamber I issued a warrant of arrest for Mr Abdel Raheem Muhammad Hussein for charges of war crimes and crimes against humanity.²
5. On 13 March 2012, the Registry submitted to the Chamber a filing detailing the transmission of the warrant of arrest and the requests for its implementation to all Rome Statute States Parties.³

¹ ICC-02/05-237-Red.

² ICC-02/05-01/12-2.

³ ICC-02/05-01/12-5.

Reports of Abdel Raheem Muhammad Hussein's possible imminent travel to the Republic of Chad

6. News reports indicate⁴ that Abdel Raheem Muhammad Hussein is scheduled to attend a meeting described as the fourth conference on performance evaluation of the joint Sudanese-Chadian border in the Republic of Chad on 25 and 26 April 2013.
7. The Prosecution submits that this information may be of interest to the Chamber. The Prosecution will submit any additional confirmation it receives of Abdel Raheem Muhammad Hussein's planned visit to the Republic of Chad.

Relief Sought

8. The Prosecution proposes that the Pre-Trial Chamber takes all appropriate measures through the Registry to seek compliance by Chad with its obligation under the Rome Statute to arrest persons indicted by the ICC.
9. For this purpose, the Pre-Trial Chamber may wish to resort to the procedure outlined in Regulation 109 of the Regulations of the Court in order to hear from the requested State.



Fatou Bensouda
Prosecutor

Dated this Thursday 25th day of April 2013

At The Hague, The Netherlands

⁴ See annex A.