

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 23 October 2013

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***

Public

With one confidential annex – ex parte defense only

**Second Report of the Registry concerning the "Decision on the third defence
application pursuant to Article 57(3)(b) and 64(6)(a) of the Statute**

Source: The Registry

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
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

The Federal Republic of Nigeria

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

NOTING the “Public Redacted Version of Defence Application pursuant to Articles 57(3)(b) and 64(6)(a) of the Statute for an order for the preparation and transmission of a cooperation request to the Government of Nigeria”¹ dated 3 July 2013;

NOTING the “Public Redacted Version of the Decision on the third defence application pursuant to Articles 57(3)(b) and 64(6)(a) of the Statute”² (“the Decision”) issued by the Trial Chamber IV (“the Chamber”) on 12 September 2013;

NOTING the “Report of the Registry on the Public Redacted Version of the decision on the third defence application pursuant to Articles 57(3)(b) and 64(6)(a) of the Statute”³ dated 18 October 2013;

NOTING articles 87(6) of the Rome Statute, rules 176(2) and 177(2) of the Rules of Procedure and Evidence and regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that the Chamber ordered the Registry to report back to the Chamber on the implementation of the request⁴;

INFORMS the Chamber as follow:

1. On 22 October 2013, the Registry received a reply to the request for cooperation contained in the Decision from the Honourable Attorney-General of the Federation and Minister of Justice of Nigeria (Annex 1).
2. The annex is filed confidential *ex parte* available to the defense only in line with the classification of the defense application⁵.

¹ ICC-02/05-03/09-489-Red

² ICC-02/05-03/09-504-Red

³ ICC-02/05-03/09-515

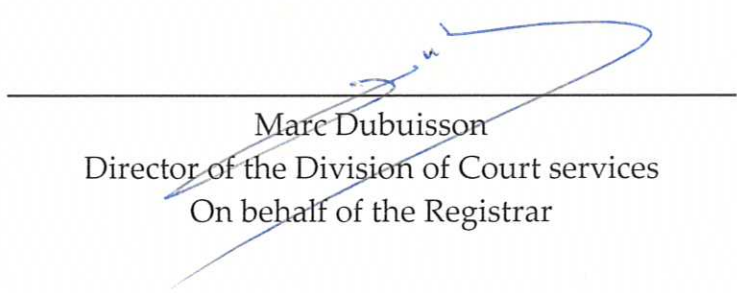
⁴ ICC-02/05-03/09-504-Red, page 6

⁵ ICC-02/05-03/09-489-Conf-Exp-AnxA

TRANSMITS to the Chamber:

- The reply from the Honourable Attorney-General of the Federation and Minister of Justice of Nigeria (Annex 1).

RESPECTFULLY SUBMITTED



Marc Dubuisson
Director of the Division of Court services
On behalf of the Registrar

Dated this 23 October 2013

At The Hague, The Netherlands