

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-02/05-01/09
Date: 7 February 2014

PRE-TRIAL CHAMBER II

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

SITUATION IN DARFUR, SUDAN

IN THE CASE OF
THE PROSECUTOR v. OMAR HASSAN AHMAD AL BASHIR

Public Document
With one confidential and one public annex

**Report of the Registry on the Decision on the "Prosecution's Urgent Notification
of Travel in the Case of The Prosecutor v Omar Al Bashir"**

Source: The Registry

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

The Office of the Prosecutor

Fatou Bensouda, Prosecutor

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**

States' Representatives

Competent authorities of
the Federal Republic of Ethiopia

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Deputy Registrar

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRY of the International Criminal Court (the “Court”):

NOTING the “Warrant of Arrest for Omar Hassan Ahmad Al Bashir” issued on 4 March 2009 by Pre-Trial Chamber I under article 58 of the Rome Statute;¹

NOTING the “Second Warrant of Arrest for Omar Hassan Ahmad Al Bashir” dated 12 July 2010;²

NOTING the “Request for Arrest and Surrender for Omar Hassan Ahmad Al Bashir” dated 10 October 2013;³

NOTING the “Decision on the ‘Prosecution’s Urgent Notification of Travel in the Case of *The Prosecutor v Omar Al Bashir*’” (“the Decision”) issued by Pre-Trial Chamber II (“the Chamber”) on 30 January 2014;⁴

NOTING Resolution 1593 (2005) of the United Nations Security Council, articles 87(1)(a) and (5), 89(1), 91 and 92 of the Rome Statute, rule 176(2) of the Rules of Procedure and Evidence and regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that the Chamber ordered the Registrar “to remind the Federal Republic of Ethiopia of the requests for the arrest and surrender of Omar Hassan Ahmad Al-Bashir transmitted to said authorities on 10 October 2013”;⁵

¹ ICC-02/05-01/09-1

² ICC-02/05-01/09-95

³ ICC-02/05-01/09-165

⁴ ICC-02/05-01/09-180

⁵ ICC-02/05-01/09-180, page 6

CONSIDERING that the Chamber ordered the Registrar “to send a Note Verbale to the Federal Republic of Ethiopia, enquiring about Omar Hassan Ahmad Al-Bashir’s most recent visit, reminding it of SC Resolution 1593(2005) and inviting said State once more to cooperate with the Court in the arrest and surrender of Omar Hassan Ahmad Al-Bashir to the Court”;⁶

CONSIDERING that the Chamber ordered the Registrar “to notify the present decision, to the competent authorities of the Federal Republic of Ethiopia” and “to prepare a report to be filed with the Chamber in due course concerning said visit”;⁷

INFORMS the Chamber as follows:

1. On 30 January 2014, a note verbale was sent transmitting the Decision and the Request for Arrest and Surrender to the Embassy of the Federal Democratic Republic of Ethiopia to the Kingdom of Belgium (Annex 1).
2. As of 7 February 2014, no reply has been received by the relevant authorities of the Federal Democratic Republic of Ethiopia.
3. The Sudan Tribune reported that President Omar Al-Bashir arrived in Addis Ababa, Ethiopia on 29 January 2014 to attend an African Union (AU) summit (Annex 2).
4. The present filing is classified public in line with the level of classification of the Decision. Annex 1 is classified confidential as it makes reference to names and contact details of staff members of the Court and of public servants of the Federal Democratic Republic of Ethiopia.

⁶ ICC-02/05-01/09-180, page 6

⁷ ICC-02/05-01/09-180, page 6

TRANSMITS in annex:

- The note verbale sent to the Embassy of the Federal Democratic Republic of Ethiopia to the Kingdom of Belgium on 30 January 2014 (Annex 1- Confidential);
- The articles reporting Al-Bashir's presence in Addis Ababa, Ethiopia for the AU summit on 30 and 31 January 2014 (Annex 2 – Public).

RESPECTFULLY SUBMITTED.



Herman von Hebel
Registrar

Dated this 7 February 2014

At The Hague, The Netherlands