

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-01/09
Date: 13 October 2014

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Cuno Tarfusser, Judge
Judge Christine Van den Wyngaert, Judge

SITUATION IN DARFUR, SUDAN

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

PUBLIC

With 2 confidential annexes

**Report of the Registry on the "Decision on the Prosecution's 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

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

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 Resolution 1593 (2005) of the United Nations Security Council, referring the situation in Darfur to the Court¹;

NOTING the warrants of arrest against Omar Al-Bashir dated 4 March 2009 and 12 July 2010²;

NOTING the “Prosecution’s Notification of Travel in the case of *The Prosecutor v Omar Al Bashir*”³ dated 1 October 2014;

NOTING the “Decision on the ‘Prosecution’s Notification of Travel in the case of The Prosecutor v Omar Al Bashir’”⁴ (“the Decision”) issued by Pre-Trial Chamber II (“the Chamber”) dated 1 October 2014;

NOTING articles 87(1)(a) and (5), 89(1) and 91 of the Rome Statute and Rules 176(2) of the Rules of Procedure and Evidence;

CONSIDERING that the Chamber ordered “the Registrar to send a Note Verbale to the Kingdom of Saudi Arabia, enquiring about said visit, reminding it of the SC Resolution 1593 (2005) and inviting it to cooperate with the Court in the arrest and surrender to the Court of Omar Hassan Ahmad Al Bashir”, and “to notify the present decision” to the Kingdom of Saudi Arabia⁵;

¹ S/RES/1593 (2005)

² ICC-02/05-01/09-1; ICC-02/05-01/09-95

³ ICC-02/05-01/09-207

⁴ ICC-02/05-01/09-208

⁵ ICC-02/05-01/09-208

CONSIDERING that the Chamber ordered the Registry “to prepare a report to be filed with the Chamber in due course concerning the said visit”⁶;

INFORMS the Chamber as follows:

1. On 1 October 2014, a note verbale transmitting the aforementioned Decision was delivered to the Permanent Representation of the Kingdom of Saudi Arabia to the United Nations in New York as well as sent by fax to the Embassy of Saudi Arabia in The Netherlands (Annex 1).
2. On 2 October 2014, an attempt was made to deliver the original of the note verbale by driver to the Embassy of Saudi Arabia in The Netherlands. As the Embassy was closed, the note verbale was only transmitted on 6 October 2014 (Annex 2).
3. As of the day of the report, no reply has been received from the said Diplomatic Missions.
4. It appears from public sources that Omar Al Bashir would have been present in Saudi Arabia from 30 September 2014 to 9 October 2014.
5. Annexes 1 and 2 to the present report are filed confidential as they make reference to names and contact details of staff members of the Court and of public servants of Saudi Arabia.

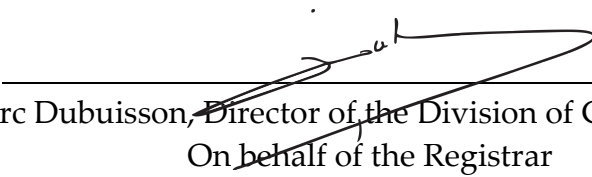
TRANSMITS in annexes:

- The note verbale and the memorandum of notification notified on 1 October 2014 to the Permanent Representation of the Kingdom of Saudi Arabia to the United Nations (Annex 1 - Confidential);

⁶ ICC-02/05-01/09-208

- The fax sent on 1 October 2014 and the note verbale and the memorandum of notification notified on 6 October 2014 by the Registry to the Embassy of the Kingdom of Saudi Arabia in the Netherlands (Annex 2 - Confidential).

RESPECTFULLY SUBMITTED.



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

Dated this 13 October 2014

At The Hague, The Netherlands