

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-01/09
Date: 31 October 2014

PRE-TRIAL CHAMBER II

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

SITUATION IN DARFUR, SUDAN

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

PUBLIC

With 1 public annex and 2 confidential annexes

**Report of the Registry on the "Decision on the 'Prosecution's Notification of
Travel of Suspect Omar Al Bashir 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 Arab
Republic of Egypt

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 Court;¹

NOTING the warrants of arrest against Omar Al-Bashir dated 4 March 2009 and 12 July 2010;²

NOTING the “Prosecution’s Notification of Travel of Suspect Omar Al Bashir in the case of *The Prosecutor v Omar Al Bashir*” dated 14 October 2014;³

NOTING the “Decision on the ‘Prosecution’s Notification of Travel of Suspect Omar Al Bashir in the case of *The Prosecutor v Omar Al Bashir*’” (“the Decision”) issued by Pre-Trial Chamber II (“the Chamber”) dated 14 October 2014;⁴

NOTING the “Request for Arrest and Surrender for Omar Hassan Ahmad Al Bashir, dated 15 October 2014;⁵

NOTING articles 87(l)(a) and (5), 89(1) and 91 of the Rome Statute and Rules 117(1) and 176(2) of the Rules of Procedure and Evidence;

CONSIDERING that the Chamber “a) invite[d] the competent authorities of the Arab Republic of Egypt to arrest Omar Hassan Al-Bashir, in the event he enters its territory, and to surrender him to the Court; b) order[ed] the Registrar to transmit to

¹ S/RES/1593 (2005)

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

³ ICC-02/05-01/09-210

⁴ ICC-02/05-01/09-211

⁵ ICC-02/05-01/09-212

the Arab Republic of Egypt [the relevant] request(s) for arrest and surrender [...];” and “c) order[ed] the Registrar to send a Note Verbale to the Arab Republic of Egypt, enquiring about Omar Al-Bashir’s potential visit, reminding it of SC Resolution 1593(2005) and inviting said State to cooperate with the Court in his arrest and surrender to the Court;”⁶

CONSIDERING that the Chamber ordered the Registry “to prepare a report to be filed with the Chamber in due course concerning the said visit”;⁷

INFORMS the Chamber as follows:

1. On 15 October 2014, the Registry filed a request for Arrest and Surrender for Omar Hassan Ahmad Al Bashir addressed to the relevant authorities of the Arab Republic of Egypt.⁸
2. On 15 October 2014, the Registry communicated by fax a note verbale in English transmitting the Chamber’s Decision and the Request for Arrest and Surrender in English, to the Embassy of the Arab Republic of Egypt in The Netherlands (Annex 1).
3. On 16 October 2014, the Arabic translation and the original in English of the Note Verbale, the Chamber’s Decision, the Request for Arrest and Surrender, as well as the Arabic translation of both Warrants of Arrest for Omar Hassan Ahmad Al-Bashir and the relevant provisions of the Statute, were delivered to the Embassy of the Arab Republic of Egypt in The Netherlands (Annex 2).
4. As of the day of the report, no reply has been received from the said authorities.
5. Several articles reported that Omar Al Bashir was present in Egypt from 18 to 19 October 2014 (Annex 3).

⁶ ICC-02/05-01/09-211, p.5-6

⁷ ICC-02/05-01/09-211, p.6

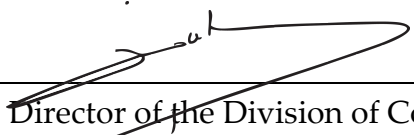
⁸ ICC-02/05-01/09-212

6. 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 the Embassy of the Arab Republic of Egypt.

TRANSMITS in annexes:

- The fax sent on 15 October 2014 to the Embassy of the Arab Republic of Egypt in The Netherlands (Annex 1 - Confidential);
- The note verbale and the memorandum of notification notified on 16 October 2014 by the Registry to the Embassy of the Arab Republic of Egypt in The Netherlands (Annex 2 - Confidential).
- The articles reporting on Omar Al Bashir's presence in Egypt from 18 to 19 October 2014 (Annex 3).

RESPECTFULLY SUBMITTED.



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

Dated this 31 October 2014

At The Hague, The Netherlands