

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 9 November 2015

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Chile Eboe-Osuji
Judge Geoffrey Henderson

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
*THE PROSECUTOR v. ABDALLAH BANDA ABAKAER NOURAIN***

**Public
With one Confidential Annex**

**Report of the Registry on the "Decision Requesting Submissions from the
Government of Sudan on the Prosecution's Request for a Finding of Non-
Compliance" (ICC-02/05-03/09-638)**

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 Julian Nicholls

Counsel for the Defence

Mr Karim A.A. Khan
Mr David Hooper

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

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 “Prosecution’s request for a finding of non-compliance against the Republic of the Sudan in the case of The Prosecutor v Abdallah Banda Abakaer Nourain pursuant to article 87(7) of the Rome Statute” (the “Prosecution’s Request”),¹ submitted on 16 October 2015;

NOTING the “Decision Requesting Submissions from the Government of Sudan on the Prosecution’s Request for a Finding of Non-Compliance” (the “Decision”),² issued on 19 October 2015;

CONSIDERING that Trial Chamber IV (the “Chamber”) ordered³ the Registry to notify the competent Sudanese authorities of the Prosecution’s Request and further requested⁴ that any observations the Government of Sudan had on this Request be filed by 9 November 2015;

NOTING rule 176(2) of the Rules of Procedure and Evidence;

INFORMS the Chamber as follows:

1. On 21 October 2015 the Registry, by way of a *Note Verbale* (Reference: 2015/ER/169/ab/JCA), transmitted the Decision to the Embassy of the Republic of Sudan *via* DHL Express, drawing attention to the Chamber’s request that any observations submitted by the Sudanese authorities on the Prosecution’s Request be submitted by 9 November 2015.

¹ ICC-02/05-03/09-636-Red.

² ICC-02/05-03/09-638.

³ ICC-02/05-03/09-638, p. 3.

⁴ *Ibid.*

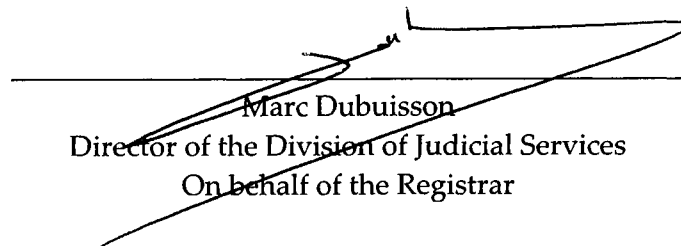
2. On 29 October 2015 the Registry received a notification from DHL that the recipient refused delivery of the *Note Verbale*, which was subsequently returned to the Registry.

TRANSMITS to the Chamber in annex:

- The *Note Verbale* dated 21 October 2015 sent by the Registry to the Embassy of the Republic of the Sudan and the DHL tracking information for the *Note Verbale* (Confidential Annex).

SUMBITS the present report as public and its annex as confidential, as *per* regulation 23bis of the Regulations of the Court, as it contains the names of staff members of the Court.

RESPECTFULLY SUBMITTED,



Marc Dubuisson
Director of the Division of Judicial Services
On behalf of the Registrar

Dated this 9 November 2015

At The Hague, The Netherlands