

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-01/09

Date: 9 September 2016

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Presiding Judge
Judge Marc Pierre Perrin de Brichambaut
Judge Chang-ho Chung

**SITUATION IN DARFUR, SUDAN
IN THE CASE OF
THE PROSECUTOR v. OMAR HASSAN AHMAD AL BASHIR
(“OMAR AL BASHIR”)**

**Public Document
With 4 confidential annexes**

**Report of the Registry on information received regarding Omar Al Bashir’s travels
to States and Non-States Parties from 22 July 2016 to 8 August 2016**

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, Prosecutor

Mr. 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

I. Introduction

1. This report is submitted in implementation of the “Corrigendum of “Orders to the Registrar concerning action to be taken in case of information relating to travel of suspects”” (“Orders”) issued by Pre-Trial Chamber II (“Chamber”) on 15 April 2015.¹
2. The Registry files this report in accordance with the instructions of the Chamber *“to prepare a report on the information received as regards travels, whether planned or ongoing, by persons at large for whom a warrant of arrest has been issued by the Court and the action taken in respect of it, as well as on any follow-up which might be received from States, to be filed in the relevant case record, as appropriate.”*²

II. Classification

3. Pursuant to regulation 23bis(1) of the Regulations of the Court (“RoC”), annexes I, II, III and IV are submitted as confidential as they refer to the names of staff members from the International Criminal Court, the Embassy and/or the Permanent Missions of the requested States.

III. Submissions

Visits to Non-States Parties

Visit of Omar Hassan Ahmad Al-Bashir to the Islamic Republic of Mauritania:

4. As reported by the media, Mr Omar Hassan Ahmad Al Bashir travelled to the Islamic Republic of Mauritania in the context of the 27th Arab Summit which took place from 25 to 26 July 2016 (Annex I).
5. On 22 July 2016, the Registry transmitted a note verbale to the Islamic Republic of Mauritania, renewing its invitation to cooperate with the

¹ Pre-Trial Chamber II, “Corrigendum of “Orders to the Registrar concerning action to be taken in case of information relating to travel of suspects””, dated 15 April 2016, ICC-02/05-01/09-235-Corr.

² The Orders, page 6.

immediate arrest and surrender of Mr Omar Hassan Ahmad Al Bashir to the Court (Annex I).

6. To the date of this report, no reply to the above mentioned note verbale has been received from the authorities of the Islamic Republic of Mauritania.

Visit of Omar Hassan Ahmad Al-Bashir to the Kingdom of Morocco

7. Media reports indicated that Mr Omar Hassan Ahmad Al Bashir travelled to the Kingdom of Morocco on 26 July 2016 for a bilateral meeting with H.E Salman bin Abdulaziz Al Saud, King of Saudi Arabia (Annex II).
8. On 27 July 2016, the Registry transmitted a note verbale inviting the Moroccan authorities to cooperate with the provisional arrest of Mr Omar Hassan Ahmad Al Bashir to the Court (Annex II).
9. On 12 August 2016, the Registry transmitted a request to the Kingdom of Morocco for the arrest and surrender of Mr Omar Hassan Ahmad Al Bashir,³ dated 11 August 2016 (Annex II).
10. To the date of this report, no reply to the above mentioned notes verbales, dated 27 July 2016 and 12 August 2016 respectively, has been received from the authorities of the Kingdom of Morocco.

Visits of Omar Hassan Ahmad Al-Bashir to the Federal Democratic Republic of Ethiopia:

11. Media reports indicated that Mr Omar Hassan Ahmad Al Bashir travelled to the Federal Democratic Republic of Ethiopia in the context of the African Initiative for Pride and Dignity which took place in Addis Ababa on 28 July 2016 (Annex III).

³ Registry, “Rectificatif de la « Demande d’arrestation et de remise d’Omar Hassan Ahmad Al Bashir adressée au Royaume du Maroc » en date du 4 août 2016”, dated 11 August 2016, ICC-02/05-01/09-270-Corr.

12. On 29 July 2016, the Registry transmitted a note verbale reminding the said State of the request to the Federal Democratic Republic of Ethiopia for the arrest and surrender of Mr Omar Hassan Ahmad Al Bashir⁴, dated 10 October 2013, and inviting the Ethiopian authorities to cooperate with the immediate arrest and surrender of Mr Omar Hassan Ahmad Al Bashir to the Court (Annex III).
13. Furthermore, on 5 August 2016, the Registry was alerted of the arrival of President Omar Hassan Al Bashir in Addis Ababa, in order to attend the Summit of Heads of Authority (IGAD) scheduled to take place on that same day (Annex III).
14. On 5 August 2016, the Registry transmitted a note verbale to the Federal Democratic Republic of Ethiopia inviting the authorities to provide information regarding the above mentioned visit, as well as renewing its invitation for cooperation with the Court in the arrest and surrender of President Omar Hassan Al Bashir (Annex III).
15. To the date of this report, no reply to the above mentioned notes verbales, dated 29 July 2016 and 5 August 2016 respectively, has been received from the authorities of the Federal Democratic Republic of Ethiopia.

Visit to a State Party

Visit of Omar Hassan Ahmad Al-Bashir to the Republic of Chad:

16. As reported by the media, Mr Omar Hassan Ahmad Al Bashir travelled to the Republic of Chad for the presidential inauguration ceremony of President Idriss Déby on 8 August 2016 (Annex IV).

⁴ Registry, "Request for Arrest and Surrender of Omar Hassan Ahmad Al Bashir", dated 10 October 2013, ICC-02/05-01/09-165.

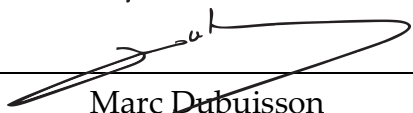
17. The Registry regrets that it was not able to send a note verbale as per usual practice and compliance with the Orders.

18. The Registry requests guidance from the Chamber on the steps to be taken with respect to the visit of Omar Al Bashir to the Republic of Chad.

The Registry hereby transmits in annexes:

- The note verbale to the Embassy of the Islamic Republic of Mauritania and news reports regarding the travels of Mr Omar Hassan Ahmad Al Bashir to the Islamic Republic of Mauritania (Annex I);
- The notes verbales to the Embassy of the Kingdom of Morocco and news reports regarding the travels of Mr Omar Hassan Ahmad Al Bashir to the Kingdom of Morocco (Annex II);
- The notes verbales to the Embassy of the Federal Democratic Republic of Ethiopia and news reports regarding the travels of Mr Omar Hassan Ahmad Al Bashir to the Federal Democratic Republic of Ethiopia (Annex III).
- News reports regarding the travels of Mr Omar Hassan Ahmad Al Bashir to the Republic of Chad (Annex IV).

RESPECTFULLY SUBMITTED,



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

Dated this 9 September 2016

At The Hague, the Netherlands