

**Cour
Pénale
Internationale**



**International
Criminal
Court**

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

Date: 7 March 2018

PRE-TRIAL CHAMBER II

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

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

**Public Document
With Confidential Annex**

**Report of the Registrar on Action Taken in Respect of Information Received
Relating to Travels by Mr Omar Al-Bashir to States not Party to the Rome Statute
between 7 April 2017 and 6 March 2018**

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’” issued by Pre-Trial Chamber II on 15 April 2015.¹

II. Classification

2. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, the Annex to this submission is classified as confidential because it refers to individual staff members from the International Criminal Court (“Court”), embassies and/or permanent representations of the requested States. The requested States have not indicated their consent to making the diplomatic correspondence public.

III. Submissions

3. During the reporting period, the Registry received information of travel by Omar Hassan Ahmad Al-Bashir (“Mr Al-Bashir”) to ten States that are not party to the Rome Statute (“Statute”). Mr Al-Bashir reportedly travelled five times to the Federal Democratic Republic of Ethiopia, three times to the Kingdom of Saudi Arabia and twice to both the State of Kuwait and the State of Qatar. He also travelled once to the Kingdom of Bahrain, the United Arab Emirates, the Kingdom of Morocco, the Republic of Rwanda, the Russian Federation and the Republic of Turkey respectively.
4. At the time when information of travel by Mr Al-Bashir, either planned or ongoing, was relayed to the Court, the Registry notified the aforementioned States with a note verbale containing *inter alia* a reminder that they may decide to provide assistance to the Court in accordance with article 87(5)(a) of the Statute. The notes verbales and the records of notification are annexed to this

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 2015, ICC-02/05-01/09-235-Corr.

submission. With the exception of a communication received from the Russian Federation, the Registry has to date received no replies to the notes verbales.

5. Mr Al-Bashir reportedly travelled on 4 April 2017 to Ethiopia for an official visit to the country. The Registry transmitted a note verbale to Ethiopia on 4 April 2017, inviting the authorities of Ethiopia to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
6. On 10 April 2017, Mr Al-Bashir reportedly travelled to Kuwait to meet with the authorities of Kuwait. The Registry transmitted a note verbale on 10 April 2017 to the authorities of Kuwait, inviting Kuwait to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
7. Mr Al-Bashir reportedly travelled to Bahrain on 12 April 2017 to meet with the authorities of Bahrain. On 11 April 2017, the Registry transmitted a note verbale to Bahrain, inviting the authorities of Bahrain to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
8. Mr Al-Bashir reportedly travelled to Qatar on 14 May 2017 to attend the 17th Doha Forum. On 3 May 2017, the Registry transmitted a note verbale to Qatar, inviting the authorities of Qatar to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
9. On 12 June 2017, Mr Al-Bashir reportedly travelled to Ethiopia to attend a summit meeting of the Inter-Governmental Authority on Development. The Registry transmitted a note verbale on 12 June 2017 to the authorities of Ethiopia, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
10. On 19 June 2017, Mr Al-Bashir reportedly travelled to Saudi Arabia to perform the Umrah. The Registry transmitted a note verbale on 19 June 2017 to the

authorities of Saudi Arabia, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.

11. Mr Al-Bashir reportedly travelled to Ethiopia to attend the 29th African Union Summit which took place from 3 to 4 July 2017. On 28 June 2017, the Registry transmitted a note verbale to the authorities of Ethiopia, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
12. On 17 July 2017, Mr Al-Bashir reportedly travelled to the United Arab Emirates for an official visit to the country. On 14 July 2017, the Registry transmitted a note verbale to the authorities of the United Arab Emirates, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
13. On 18 July 2017, Mr Al-Bashir reportedly travelled to Saudi Arabia to meet with the authorities of Saudi Arabia. The Registry transmitted on 17 July 2017 a note verbale to the authorities of Saudi Arabia, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
14. Mr Al-Bashir reportedly travelled on a private visit to Morocco on 3 August 2017. On 4 August 2017, the Registry transmitted a note verbale to the authorities of Morocco, inviting Morocco to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
15. On 18 August 2017, Mr Al-Bashir reportedly travelled to Rwanda to attend the inauguration of the President of Rwanda. The Registry transmitted a note verbale on 18 August 2017 to the authorities of Rwanda, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.
16. Mr Al-Bashir reportedly travelled on 29 August 2017 to Saudi Arabia to perform the Hajj. The Registry transmitted a note verbale on 29 August 2017

to the authorities of Saudi Arabia, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.

17. Mr Al-Bashir reportedly travelled on 22 October 2017 to Kuwait to meet with the authorities of Kuwait. On 23 October 2017, the Registry transmitted a note verbale to the authorities of Kuwait, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.

18. On 23 October 2017, Mr Al-Bashir reportedly travelled to Qatar to meet with the authorities of Qatar. The Registry transmitted a note verbale on 23 October 2017 to the authorities of Qatar, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.

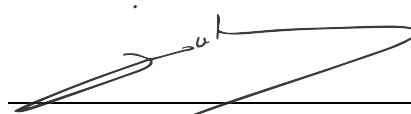
19. On 23 November 2017, Mr Al-Bashir reportedly travelled to the Russian Federation to meet with the Russian authorities. On 17 November 2017, the Registry transmitted a note verbale to the authorities of the Russian Federation, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir. The Registry subsequently received a note verbale, dated 22 December 2017, from the Embassy of the Russian Federation in the Kingdom of the Netherlands which is annexed to this submission. On 11 January 2018, the Registry acknowledged receipt of the note verbale dated 22 December 2017 and recapitulated the mandate of the Registry to contact States not party to the Statute when receiving information about travel of persons against whom an arrest warrant has been issued by the Court.²

20. On 8 December 2017, Mr Al-Bashir reportedly travelled to Ethiopia to take part in the 12th Nations, Nationalities and Peoples' Day. On 7 December 2017, the Registry transmitted a note verbale to the authorities of Ethiopia, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.

² Email from Registry to the Embassy of the Russian Federation in the Kingdom of the Netherlands on 11 January 2018 at 14:03.

21. On 12 December 2017, Mr Al-Bashir reportedly travelled to Turkey to attend a summit meeting of the Organisation of Islamic Cooperation. On 12 December 2017, the Registry transmitted a note verbale to the authorities of Turkey, inviting Turkey to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.

22. Mr Al-Bashir reportedly travelled to Ethiopia on 28 January 2018 to attend the 30th African Union Summit. On 23 January 2018, the Registry transmitted a note verbale to the authorities of Ethiopia, inviting them to cooperate with the Court in the arrest and surrender of Mr Al-Bashir.



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

Dated this 7 March 2018

At The Hague, the Netherlands