

ANNEXURE B

**Cour
Pénale
Internationale**



Le Greffe

The Registry

**International
Criminal
Court**

Mr. Karim A. A. Khan
2 Hare Court (Chambers of David Waters QC)
Temple, London
EC4 Y 7BH
United Kingdom
Via e-mail: kkhan@iccpn.org

Reference: CSS/2010/404

Date: 21 September 2010

Re: Your request for assistance

Dear Mr. Khan,

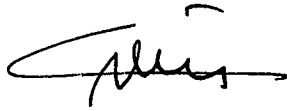
I hereby reply to your letter dated 1 September 2010, referenced D-AB/2010/6, D-SJ/2010/5, in which you "require[d] your team and [you] to have unfettered access to [several] locations in Sudan in order to conduct Defence investigations and identify and speak to potential witnesses for the purposes of the confirmation hearing".

As you know, the Registry is committed to provide all the participants in the proceedings with all possible assistance in regard to their missions to the field, including in terms of security. After an examination of your request by the Security and Safety Section of the Registry and taking into account the volatile security situation in certain parts of Sudan, including the locations indicated in your letter, we are unfortunately not in a position to provide you with the requested support.

The reason of the impossibility to provide you the aforementioned support is that the Court has not been cleared to have a physical presence in Sudan. Hence, the Security and Safety Section is neither able to provide support to the mission of the Defence to Sudan nor to guarantee even the minimum level of security and safety for the personnel and other persons potentially involved.

We regret the status of the present situation and hope you understand our decision in this particular matter. Please be assured that the Registry is constantly committed to providing all the legal teams with the necessary and possible assistance in the framework of their mandates.

With my best regards,

A handwritten signature in black ink, appearing to read 'E. Peralta', with a stylized flourish at the end.

Esteban Peralta Losilla
Chief, Counsel Support Section