

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-02/05-03/09**
Date: **15 January 2013**

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Silvia Fernández de Gurmendi
Judge Chile Eboe-Osuji

SITUATION IN THE DARFUR, SUDAN

IN THE CASE OF *THE PROSECUTOR*

v.

ABDALLAH BANDA ABAKAER NOURAIN

&

SALEH MOHAMMED JERBO JAMUS

Public

**Defence Request to Reschedule the Time and/or Date of the Status Conference
scheduled for 29 January 2013**

Sources: Defence Team of Abdallah Banda Abakaer Nourain
Defence Team of Saleh Mohammed Jerbo Jamus

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. Adebowale Omofade

Counsel for the Defence

Mr. Karim A. A. Khan QC
Mr. Nicholas Koumjian

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

Ms. Silvana Arbia

Counsel Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. On 14 December 2012, “having reviewed the parties and participants’ submissions on a possible date for the commencement of the trial” and “in accordance with Rule 132(1) of the Rules of Procedure and Evidence,” the Trial Chamber ordered that a status conference be held on 29 January 2013 starting at 15.00.¹
2. The Defence for Mr. Abdallah Banda Abakaer Nourain and Mr. Saleh Mohammed Jerbo Jamus (“Defence”) respectfully request that the 29th January 2013 status conference be rescheduled to either the morning of the 29th January or to the preceding day, that is Monday 28th January.

II. Submissions

3. Since the scheduling of the 29th January 2013 status conference, certain important personal matters have arisen which require Lead Defence Counsel’s attendance in London late on Tuesday afternoon. The Defence advise that this engagement is immovable. Therefore, in order that Lead Defence Counsel might attend the status conference at which the important matter of the setting of a trial date will be discussed, the Defence respectfully request that the status conference be rescheduled to either the morning of the 29th January or to the 28th January.
4. While the Defence appreciate that courtroom availability is only one factor in any rescheduling exercise, the Defence have checked the tentative court calendar (up-to-date through 9 January), which shows that no other hearings

¹ ICC-02/05-03/09-429.

are scheduled for the week commencing 28th January save for the status conference in this case.²

Relief Requested

The Defence respectfully request that the 29th January 2013 status conference be rescheduled to either the morning of the 29th January or to the preceding day, that is Monday 28th January.

Respectfully Submitted,



Mr. Karim A. A. Khan QC
Lead Counsel



Mr. Nicholas Koumjian
Co-Lead Counsel

for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus

Dated this 15th Day of January 2013
At Nairobi, Kenya

Dated this 15th Day of January 2013
At The Hague, The Netherlands

² Tentative Court Calendar 2013 available at: http://www.icc-cpi.int/en_menus/icc/situations%20and%20cases/hearing%20schedule/Documents/2013calendarbilingual.pdf.