

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09
Date: 18 October 2013

TRIAL CHAMBER IV

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

SITUATION IN DARFUR, SUDAN

IN THE CASE OF

THE PROSECUTOR v. ABDALLAH BANDA ABAKAER NOURAIN

Public

With one annex confidential ex parte Defense only

Report of the Registry on the "Public Redacted Version of the Decision on the third defence application pursuant to Articles 57(3)(b) and 64(6)(a) of the Statute"

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 Adebowale Omofade

Counsel for the Defence

Mr Karim A.A. Khan
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

Competent authorities of the
Government of the Federal Republic of
Nigeria

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel
Deputy Registrar

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRY of the International Criminal Court (the “Court”):

NOTING the “The Public Redacted Version of the Decision on the third defence application pursuant to Articles 57(3)(b) and 64(6)(a) of the Statute” (“the Decision”) issued by Trial Chamber IV dated 12 September 2013¹;

NOTING article 87(1)(a) of the Rome Statute, rule 176(2) of the Rules of Procedure and Evidence and regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that the Chamber ordered the Registrar “(a) to transmit forthwith a cooperation request pursuant to Article 87(1)(a) of the Statute asking for the assistance of Nigeria in this matter; (b) to serve the request on Nigeria through the proper channels of communication as provided for in Rules 176(2) and 177(1) of the Rules; and(c) to report back to the Chamber on the implementation of the request no later than thirty days after notification of the present Decision”²;

INFORMS the Chamber as follows:

1. On 17 September 2013, a note verbale was sent to the Embassy of the Federal Republic of Nigeria in the Kingdom of the Netherlands transmitting the Decision and requesting the authorities to provide a reply by 18 October 2013.
2. A reminder was sent on 15 October 2013 by e-mail to the Embassy.
3. On 15 October 2013, during a phone conversation with the Embassy of Nigeria, the Registry reminded the authorities of Nigeria that a request for extension of time could be filed before the Chamber. It was also mentioned that such a request should be justified.

¹ ICC-02/05-03/09-504-Red

² ICC-02/05-03/09-504-Red

4. No reply has been received so far from the Federal Republic of Nigeria.
5. The present filing is filed public in accordance with the level of classification of the Decision. The annex is filed confidential *ex parte Defense only* as it makes reference to documents of the defense with the same level of classification.

TRANSMITS in annex:

1. The note verbale sent on 17 September 2013 by the Registry to the Embassy of the Federal Republic of Nigeria in the Kingdom of the Netherlands (Annex 1).

RESPECTFULLY SUBMITTED



Herman von Hebel
Registrar

Dated this 18 October 2013

At the Hague, The Netherlands