

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-03/09

Date of redaction: 28 Oct. 2026

Date of original: 17 Sept. 2009

PRE-TRIAL CHAMBER I

Before: Judge Sylvia Steiner, Presiding Judge
Judge Sanji Mmasenono Monageng, Judge
Judge Cuno Tarfusser, Judge

**SITUATION IN DARFUR, THE SUDAN
IN THE CASE OF THE PROSECUTOR V. ABDALLAH BANDA ABAKAER
NOURAIN AND SALEH MOHAMMED JERBO JAMUS**

Public

Public redacted version of "Request to the Kingdom of The Netherlands in relation with the summons to appear for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus", 17 September 2009, ICC-02/05-03/09-5-US-Exp

Source: The Registrar

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

**States Representatives
Kingdom of The Netherlands**

Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

Deputy Registrar

Victims and Witnesses Unit

Defence Support Section

**Victims Participation and Reparations
Section**

Detention Section

The Registrar of the International Criminal Court (the “Court”);

NOTING the Prosecutor's Application under Article 58 dated 20 November 2008¹;

NOTING the “Second Decision on the Prosecutor’s Application under Article 58 issued by the Chamber (the “Chamber”) delivered by Pre-Trial Chamber I (the “Chamber”) on 27 August 2009²;

NOTING the Summons to appear for Saleh Mohammed Jerbo Jamus issued on 27 August³;

NOTING the Summons to appear for Abdallah Banda Abakaer Nourain issued on 27 August 2009⁴;

NOTING the Headquarter Agreement between the International Criminal Court and the Host State (the “Headquarters Agreement”)⁵;

NOTING Articles 58, 87 (1), 87(2), 93 (1) (d) and 96 of the Rome Statute (the “Statute”), Rule 176 of the Rules of Procedure and Evidence and Regulation 31(3)(b) of the Regulations of the Court;

¹ ICC-02/05-163-Conf-Exp

² ICC-02/05-03/09-1-US

³ ICC-02/05-03/09-2-US

⁴ ICC-02/05-03/09-3-US

⁵ ICC-BD/04-01-08

INFORMS the authorities of the Kingdom of the Netherlands that the Chamber issued two summons to appear for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus with the following conditions:

- (i) to refrain from discussing issues related to either the charges which form the basis of the present summons or the evidence and information presented by the Prosecutor and considered by the Chamber;
- (ii) to refrain from making any political statements while within the premises of the Court, including the location assigned to them;
- (iii) not to leave, without specific permission of the Chamber and for the whole period of their stay in the Netherlands, the premises of the Court, including the location assigned to them;
- (iv) to comply, in any case, with all the instructions of the Registrar for the purposes of their appearance before the Court;

INFORMS the authorities of the Kingdom of the Netherlands that the Chamber ordered the Registrar to:

- (i) monitor the compliance of Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus with the conditions set forth by the Chamber in the summons to appear and contained in the present decision from the moment it is served upon them;
- (ii) immediately report any violation of the said conditions by Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus to the Chamber;

INFORMS the Dutch authorities that Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus are to appear before the Chamber on 17 November 2009 at 10.00 hours;

REQUESTS, in view of the above, the authorities of the Kingdom of the Netherlands to:

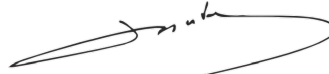
- Facilitate the entry on and the exit from their territory in direction of any destination requested by the Chamber or the Registrar for Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus and the persons accompanying them, if any ;
- Ensure transportation of Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus in accordance with article 45 of the Headquarters Agreement and facilitate transportation of the persons accompanying them, if any:

- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]; and
- [REDACTED]
[REDACTED]

- [REDACTED]
[REDACTED]
[REDACTED]

- Assist the Registrar in order to facilitate the appearance of Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus before the Judges of the Court.

- **INFORMS** the authorities of the Kingdom of the Netherlands that the Registry will provide all information available in a timely fashion in order to facilitate the execution of the present request.



Marc Dubuisson, Director, Division of Judicial Services
on behalf of Osvaldo Zavala Giler, Registrar

Dated this 28 October 2026

At The Hague, The Netherlands