

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date of redaction: 30 Oct. 2026

Date of original: 19 Feb. 2010

PRE-TRIAL CHAMBER I

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

SITUATION IN DARFUR, SUDAN

**IN THE CASE OF
THE PROSECUTOR *v.* ABDALLAH BANDA ABAKAER NOURAIN
AND
SALEH MOHAMMED JERBO JAMUS**

Public

Public redacted version of "Observations of the Registry on the report of the Office of the Prosecutor dated 12 February 2010", 19 February 2010, ICC-02/05-03/09-27-US

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 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 Osvaldo Zavala Giler

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

NOTING the “Second Decision on the Prosecutor's Application under Article 58” (the “Decision”) dated 27 August 2009; ¹

NOTING the “Decision postponing the hearing of first appearance” dated 12 November 2009; ²

NOTING the “Decision cancelling the hearing of first appearance and scheduling a hearing” dated 1 February 2009; ³

NOTING the reports of the Office of the Prosecutor dated 23 December 2009, 5 January 2010, 11 January 2010, 19 January, 26 January, 29 January and 12 February 2010; ⁴

NOTING the reports of the Registry dated 22, 29 January and [REDACTED] 2010; ⁵

NOTING articles 58 (7) (d) and 67 of the Rome Statute, rule 176 (2) of the Rules and Procedure and Evidence and regulations 24 *bis* and 31 (3) (b) of the Regulations of the Court;

¹ ICC-02/05-03/09-1-US

² ICC-02/05-03/09-10-US

³ ICC-02/05-03/09-23-US

⁴ ICC-02/05-03/09-12-US; ICC-02/05-03/09-13-US; ICC-02/05-03/09-14-US, ICC-02/05-03/09-15-US, ICC-02/05-03/09-18-US, ICC-02/05-03/09-21-US and ICC-02/05-03/09-26-US

⁵ ICC-02/05-03/09-16-US, ICC-02/05-03/09-22-US [REDACTED]

SUBMITS the following information:

Update on the situation

Abdallah Banda Abakaer Nourain (Mr. Banda)

1. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
2. [REDACTED]
[REDACTED]
[REDACTED]

Saleh Mohammed Jerbo Jamus (Mr. Jerbo)

3. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
4. [REDACTED]
[REDACTED]
[REDACTED]
5. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Registry's position with regard to both individuals

6. [REDACTED]
[REDACTED]
7. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
8. [REDACTED]
[REDACTED]

Current status

9. The Registry is faced with the following situation:

- [REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
- [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

⁶ [REDACTED]
⁷ [REDACTED]
[REDACTED]

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

Proposed Action plan

10. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

11. In view of the current circumstances, the Registry will undertake a number of immediate actions.

12. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

13. [REDACTED]
[REDACTED]
[REDACTED]

14. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15. The Registry's priority is to proceed with the notification of the summons to appear to the individuals and to facilitate a meeting between the counsels and their clients. [REDACTED]
[REDACTED]

16. Pursuant to the Decision of the Chamber, it is the Registry's responsibility to "prepare and transmit to any other State any request for cooperation which may be necessary to facilitate the voluntary appearance of"⁸ the two individuals. The Registry intends to avoid duplication with efforts which may be or may have already been deployed by the Office of the Prosecutor.

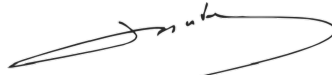
17. As a result, and upon instruction of the Chamber, the Registry will prepare a confidential request for cooperation to the [REDACTED] authorities in order for them to [REDACTED]
[REDACTED]

18. Immediately after notification of the summons to appear, the Registry would inform the Chamber of the decision of Mr. Banda and Mr. Jerbo to appear before the Court.

19. [REDACTED]
[REDACTED]
[REDACTED]

⁸ ICC-02/05603/09-1-US, 28 August 2009.

RESPECTFULLY AWAITS for further instructions from the Chamber;



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

Dated this 30 October 2026

At The Hague, the Netherlands