

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-01/09
Date: 24 October 2013

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul, Judge
Judge Cuno Tarfusser, Judge

SITUATION IN DARFUR, SUDAN

IN THE CASE OF
THE PROSECUTOR v. OMAR HASSAN AHMAD AL BASHIR

PUBLIC

With 2 annexes confidential and 2 annexes public

**Report of the Registry on the "Decision Regarding Omar Al-Bashir's Potential
Travel to the Federal Republic of Ethiopia and the Kingdom of Saudi Arabia"**

Source: The Registry

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

The Office of the Prosecutor

Fatou Bensouda, Prosecutor

James Stewart, Deputy 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

Competent authorities of
the Federal Republic of Ethiopia
Competent authorities of the
Kingdom of Saudi Arabia

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

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 Resolution 1593 (2005) of the United Nations Security Council, referring the situation in Darfur to the Court¹;

NOTING the warrants of arrest against Omar Al-Bashir dated 4 March 2009 and 12 July 2010²;

NOTING the “Prosecution’s urgent notification of travel in the case of *The Prosecutor v Omar Al Bashir*”³ dated 9 October 2013;

NOTING the “Decision Regarding Omar Al-Bashir’s Potential Travel to the Federal Republic of Ethiopia and the Kingdom of Saudi Arabia”⁴ (“the Decision”) issued by Pre-Trial Chamber II (“the Chamber”) dated 10 October 2013;

NOTING the “Request for Arrest and Surrender for Omar Hassan Ahmad Al Bashir”⁵ issued by the Registrar on 10 October 2013;

NOTING articles 87(1)(a) and (5), 89(1) and 91 of the Rome Statute and Rules 176(2) of the Rules of Procedure and Evidence;

CONSIDERING that the Chamber ordered the Registry to “transmit to the Federal Republic of Ethiopia and the Kingdom of Saudi Arabia the requests for arrest and surrender”, and “to notify the present decision” to the said countries⁶;

¹ S/RES/1593 (2005)

² ICC-02/05-01/09-1; ICC-02/05-01/09-95

³ ICC-02/05-01/09-163

⁴ ICC-02/05-01/09-164

⁵ ICC-02/05-01/09-165

CONSIDERING that the Chamber ordered the Registry “to prepare a report to be filed with the Chamber in due course concerning the said visits”⁷;

INFORMS the Chamber as follows:

1. On 10 October 2013, notes verbales were sent electronically transmitting the requests for arrest and surrender against Omar Al Bashir, the arrest warrants as well as the Arabic translation of the arrest warrants and the relevant provisions of the Rome Statute to both the Embassy of Saudi Arabia in The Netherlands and the Embassy of Ethiopia in Belgium.
2. On 11 October 2013 the originals of both notes verbales were transmitted in person to both Embassies of Saudi Arabia in The Netherlands and the Embassy of Ethiopia in Belgium (Annex 1 and 2).
3. As of today, 24 October 2013 of the report, no reply has been received from the said Embassies.
4. Several articles reported President Omar Al Bashir’s presence at the AU summit in Addis Ababa in Ethiopia on 12 October 2013 (Annex 3).
5. Several articles reported President Omar Al Bashir’s presence in Saudi Arabia from 13 October 2013 to 20 October 2013 (Annex 4).
6. Annexes 1 and 2 to the present report are filed confidential as they make reference to names and contact details of staff members of the Court and of public servants of Ethiopia and Saudi Arabia.

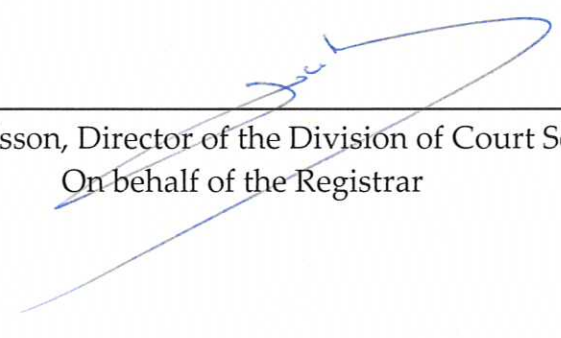
⁶ ICC-02/05-01/09-164

⁷ ICC-02/05-01/09-164

TRANSMITS in annex:

- The e-mails sent to the Embassy of the Federal Republic of Ethiopia on 10 October 2013, the note verbale and the memorandum of notification notified on 11 October 2013 by the Registry to the Embassy of the Federal Republic of Ethiopia in Belgium (Annex 1 - Confidential);
- The e-mails sent to the Embassy of the Kingdom of Saudi Arabia in the Netherlands on 10 October 2013, the note verbale and the memorandum of notification notified on 11 October 2013 by the Registry to the Embassy of the Kingdom of Saudi Arabia in the Netherlands (Annex 2 - Confidential).
- The articles reported Al Bashir's presence at the AU summit in Addis Araba (Annex 3 – Public).
- The articles reported Al Bashir's presence in Saudi Arabia from 13 October 2013 to 20 October 2013 (Annex 4 – Public).

RESPECTFULLY SUBMITTED.



Marc Dubuisson, Director of the Division of Court Services
On behalf of the Registrar

Dated this 24 October 2013

At The Hague, The Netherlands