

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/05-01/09

Date: 11 April 2017

**PRE-TRIAL CHAMBER II**

**Before:** Judge Cuno Tarfusser, Presiding Judge  
Judge Marc Perrin de Brichambaut  
Judge Chang-ho Chung

**SITUATION IN DARFUR, SUDAN  
IN THE CASE OF  
*THE PROSECUTOR v. OMAR HASSAN AHMAD AL BASHIR*  
(“OMAR AL BASHIR”)**

**Public Document**

**With Nine Confidential Annexes and One Public Annex**

**Report of the Registry on information received regarding Omar Al Bashir’s travels to States Parties and Non-States Parties from 5 October 2016 to 6 April 2017 and other efforts conducted by the Registry regarding purported visits**

**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, Prosecutor

Mr. 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**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Mr. Herman von Hebel

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

## I. Introduction

1. This report is submitted pursuant to the “Corrigendum of “Orders to the Registrar concerning action to be taken in case of information relating to travel of suspects”” issued by Pre-Trial Chamber II (“Chamber”) on 15 April 2015, in which the Chamber ordered the Registry *“to prepare a report on the information received as regards travels, whether planned or ongoing, by persons at large for whom a warrant of arrest has been issued by the Court and the action taken in respect of it, as well as on any follow-up which might be received from States, to be filed in the relevant case record, as appropriate.”*<sup>1</sup>

## II. Classification

2. Pursuant to regulation 23bis(1) of the Regulations of the Court (“RoC”), nine annexes are submitted as confidential as they refer to the names of staff members from the International Criminal Court, the Embassy and/or the Permanent Missions of the requested States.

## III. Submissions

### A. Visits to Non-States Parties

#### *Visit of Mr Al Bashir to the Arab Republic of Egypt:*

3. As reported by the media, Mr Omar Hassan Ahmad Al Bashir (“Mr Al Bashir”) travelled to the Arab Republic of Egypt to co-chair the Joint High Presidential Committee, which took place on 5 October 2016, as well as to attend the “Egyptian October victory celebrations” on 6 October 2016 (Annex 1).
4. On 3 October 2016, the Registry transmitted a note verbale to the Arab Republic of Egypt renewing its invitation to cooperate with the immediate arrest and surrender of Mr Al Bashir to the Court (Annex 2).

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<sup>1</sup> Pre-Trial Chamber II, “Corrigendum of “Orders to the Registrar concerning action to be taken in case of information relating to travel of suspects”, dated 15 April 2016, ICC-02/05-01/09-235-Corr, page 6.

5. To date, no reply to the above mentioned note verbale has been received from the authorities of the Arab Republic of Egypt.

*Visit of Mr Al Bashir to the State of Qatar:*

6. Media reports indicated that Mr Al Bashir travelled to the State of Qatar on 31 October 2016 in order to present his condolences on the passing of His Highness Sheikh Khalifa bin Hamad Al Thani (Annex 1).
7. On 31 October 2016, the Registry transmitted a note verbale renewing its invitation to the authorities of the State of Qatar to cooperate with the arrest of Mr Al Bashir to the Court (Annex 3).
8. To date, no reply to the above mentioned note verbale has been received from the authorities of the State of Qatar.

*Visits of Mr Al Bashir to the Kingdom of Saudi Arabia:*

9. As reported by the media, Mr Al Bashir travelled to the Kingdom of Saudi Arabia on 24 October 2016 at the invitation of H.E Salman bin Abdulaziz Al Saud, King of Saudi Arabia (Annex 1).
10. On 24 October 2016, the Registry transmitted a note verbale inviting the authorities of the Kingdom of Saudi Arabia to provide information regarding the above mentioned visit, and renewing its invitation for cooperation with the Court in the arrest and surrender of Mr Al Bashir (Annex 4).
11. Media reports also indicated that Mr Al Bashir travelled to the Kingdom of Saudi Arabia on 23 January 2017 for a meeting with H.E. Salman bin Abdulaziz Al Saud, King of Saudi Arabia and a number of State representatives (Annex 1).
12. On 23 January 2017, the Registry transmitted a note verbale renewing its invitation to the authorities of the Kingdom of Saudi Arabia to cooperate with the Court in the arrest of Mr Al Bashir (Annex 4).

13. To date, no reply to the above mentioned notes verbales, dated 24 October 2016 and 23 January 2017 respectively, have been received from the authorities of the Kingdom of Saudi Arabia.

*Visit of Mr Al Bashir to the Kingdom of Morocco:*

14. As reported by the media, King Mohammed VI invited Mr Al Bashir to attend the 22<sup>nd</sup> United Nations Climate Change Conference that was scheduled to take place from 7 to 18 November 2016 (Annex 1).
15. On 3 November 2016, the Registry transmitted a note verbale renewing its invitation to the Moroccan authorities to cooperate with the Court in the arrest of Mr Al Bashir (Annex 5).
16. To date, no reply to the above mentioned note verbale has been received from the authorities of the Kingdom of Morocco.

*Visits of Mr Al Bashir to the Federal Democratic Republic of Ethiopia:*

17. Media reports indicated that Mr Al Bashir travelled to the Federal Democratic Republic of Ethiopia for an African Union High-Level emergency meeting on 9 November 2016 (Annex 1).
18. The Registry did not take any action with regards to the travel of Mr Al Bashir to the Federal Democratic Republic of Ethiopia, having been informed only after the visit had been concluded.
19. Media reports also indicated that Mr Al Bashir travelled to the Federal Democratic Republic of Ethiopia to take part in a summit of the Intergovernmental Authority on Development (IGAD) which took place on 9 December 2016 (Annex 1).
20. On 9 December 2016, the Registry transmitted a note verbale to the Federal Democratic Republic of Ethiopia, renewing its invitation to cooperate by immediately arresting and surrendering Mr Al Bashir to the Court (Annex 6).

21. During the 28<sup>th</sup> African Union Summit which took place from 22 to 31 January 2017, media reports indicated that Mr Al Bashir travelled to the Federal Democratic Republic of Ethiopia to attend (Annex 1).
22. On 30 January 2017, the Registry transmitted a note verbale to the Federal Democratic Republic of Ethiopia, renewing its invitation to cooperate in the immediate arrest and surrender of Mr Al Bashir to the Court (Annex 6).
23. On 4 April 2017, media reports indicated that Mr Al Bashir travelled to the Federal Democratic Republic of Ethiopia to attend a meeting with Prime Minister Hailemariam Desalegn and other government officials in Addis Ababa (Annex 1).
24. To date, no reply to the above mentioned note verbales has been received from the authorities of the Federal Democratic Republic of Ethiopia.

***Visit of Mr Al Bashir to the Republic of Equatorial Guinea:***

25. As reported by the media, Mr Al Bashir travelled to the Republic of Equatorial Guinea to attend the 4<sup>th</sup> Africa-Arab Summit that took place on 24 November 2016 (Annex 1).
26. On 21 November 2016, the Registry transmitted a note verbale to the Republic of Equatorial Guinea inviting the authorities to provide information regarding the above mentioned visit, as well as to cooperate with the provisional arrest of Mr Al Bashir (Annex 7).
27. On 1 December 2016, the Registry transmitted a request to the Republic of Equatorial Guinea for the arrest and surrender of Mr Al Bashir dated 24 November 2016 (Annex 7).
28. To date, no reply to the above mentioned notes verbales, dated 21 November 2016 and 1 December 2016 respectively, has been received from the authorities of the Republic of Equatorial Guinea.

***Visits of Mr Al Bashir to the United Arab Emirates:***

29. As reported by the media, Mr Al Bashir travelled to the United Arab Emirates on 28 November 2016 to conduct a multi-day visit on bilateral relations between the two countries (Annex 1).
30. On 27 November 2016, the Registry transmitted a note verbale to the United Arab Emirates inviting the authorities to proceed with the immediate arrest and surrender of Mr Al Bashir (Annex 8).
31. Media reports also indicated that Mr Al Bashir travelled to the United Arab Emirates to participate in the 13<sup>th</sup> International Defence Conference that took place from 19 to 23 February 2017 (Annex 1).
32. On 16 February 2017, the Registry transmitted a note verbale to the United Arab Emirates, renewing its invitation to cooperate by immediately arresting and surrendering Mr Al Bashir to the Court (Annex 8).
33. To date, no reply to the above mentioned note verbales has been received from the authorities of the United Arab Emirates.

**B. Visit to a State Party*****Visit of Mr Al Bashir to the Hashemite Kingdom of Jordan:***

34. On 10 January 2017, the Registry was alerted of a potential visit of Mr Al Bashir to the Hashemite Kingdom of Jordan in order to participate in the 28<sup>th</sup> Arab League Summit, scheduled to take place in Amman on 29 March 2017 (Annex 1).
35. On 21 February 2017, the Registry transmitted a note verbale to the Hashemite Kingdom of Jordan, inviting the Jordanian authorities to provide information regarding the above mentioned visit, and renewing its request to cooperate in the arrest and surrender of Mr Al Bashir to the Court if he entered the territory of the Hashemite Kingdom of Jordan.<sup>2</sup>

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<sup>2</sup> Registry, "Report of the Registry on information received regarding Omar Al Bashir's potential travel to the Hashemite Kingdom of Jordan", dated 24 March 2017, ICC-02/05-01/09-291.

36. On 24 March 2017, the Registry transmitted a note verbale to the Chamber from the Hashemite Kingdom of Jordan.<sup>3</sup>
37. On 28 March 2017, the Registry transmitted a second note verbale to the Chamber from the Hashemite Kingdom of Jordan.<sup>4</sup>
38. To date, the Registry has not received any further information regarding the travel of Mr Al Bashir to the Hashemite Kingdom of Jordan.

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<sup>3</sup> Registry, "Report of the Registry on information received regarding Omar Al Bashir's potential travel to the Hashemite Kingdom of Jordan", dated 24 March 2017, ICC-02/05-01/09-291.

<sup>4</sup> Registry, "Report of the Registry on additional information received regarding Omar Al Bashir's potential travel to the Hashemite Kingdom of Jordan", dated 28 March 2017, ICC-02/05-01/09-293.



The Registry hereby transmits in annexes:

- News reports regarding the travels of Mr Al Bashir (Annex 1);
- The note verbale to the Embassy of the Arab Republic of Egypt dated 3 October 2016 (Annex 2);
- The note verbale to the Embassy of the State of Qatar dated 31 October 2017 (Annex 3);
- The notes verbales to the Embassy of the Kingdom of Saudi Arabia dated 24 October 2016 and 23 January 2017 (Annex 4);
- The note verbale to the Embassy of the Kingdom of Morocco dated 3 November 2016 (Annex 5);
- The notes verbales to the Embassy of the Federal Democratic Republic of Ethiopia dated 9 December 2016, 30 January 2017 and 4 April 2017 (Annex 6);
- The notes verbales to the Embassy of the Republic of Equatorial dated 21 November and 1 December 2016 (Annex 7);
- The notes verbales to the Embassy of the United Arab Emirates dated 27 November 2016 and 16 February 2017 (Annex 8);
- Information received by the Registrar regarding potential travel to States Parties to the Statute and corresponding notes verbales (Annexes 9 and 10).

  
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Marc Dubuisson, Director of the Division of Judicial Services  
*per* delegation of  
Herman von Hebel, Registrar

Dated this 11 April 2017

At The Hague, the Netherlands