

ANNEXURE D


PROSECUTOR V. ABDALLAH BANDA ABAKAER NOURAIN & SALEH MOHAMMED
JERBO JAMUS (ICC-02/05-03/09)

AFFIDAVIT

I, the undersigned, ANDREW JOHN BURROW, state the following:

1. I am an adult male currently employed as a Legal Consultant on the Defence Team of Abdallah Banda Abakaer Nourain and Saleh Mohammed Jerbo Jamus before the International Criminal Court, The Hague.
2. On Wednesday, 12 October 2010, accompanied by Anand Shah, the Defence Team Case Manager, I attended at the Embassy of the Republic of the Sudan at 81 Laan Copes Van Cattenburch, The Hague, at approximately 10h00am.
3. After waiting in reception for about ten minutes, we were greeted at the service hatch by a woman. We explained to her that we were there to deliver a letter to the Sudanese ambassador and that we worked for a Defence Team at the ICC. We explained, further, that we had tried to have the letter delivered by courier but that it had been returned. As soon as we mentioned the ICC, the woman left to call her superiors.
4. Two men then arrived in the office and I once again explained that we worked for a Defence Team at the ICC and that we were there to deliver a letter to the ambassador which we had been unable to do using a courier service.
5. One of the gentlemen explained that he would be unable to accept any letter from us that related to the ICC and that they had "clear instructions from the capital" not to receive any documentation coming from, or relating to, the ICC. He kept his hands in his pockets and was clearly not prepared to accept the letter from us.
6. I asked if this was his position even if we did not work for the Court as such, but for a Defence Team, and he confirmed that his position was the same.
7. I asked for his name but he would not provide it. He confirmed, however, in response to a question from me, that he was a consular official.
8. I confirm that the contents of this affidavit are within my personal knowledge and confirm that, to the best of my knowledge and belief, they are true and correct insofar as they relate to me.

Signed this 9th day of November 2010 at THE HAGUE.



ANDREW J. BURROW