

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 18 January 2013

TRIAL CHAMBER IV

Before: Judge Joyce Aluoch, Presiding Judge
Judge Silvia Fernández de Gurmendi
Judge Chile Eboe-Osuji

SITUATION IN DARFUR, SUDAN

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

Public

Order to re-schedule the status conference of 29 January 2013

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

The Office of the Prosecutor

Ms Fatou Bensouda

Counsel for the Defence

Mr Karim A.A. Khan

Mr Nicholas Koumjian

Legal Representatives of Victims

Ms Hélène Cissé

Mr Jens Dieckmann

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

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

1. Following the “Order scheduling a status conference”¹ by Trial Chamber IV (“Chamber”), the defence of Mr Abdallah Banda Abakaer Nourain and Mr Saleh Mohammed Jerbo Jamus (“defence”) filed on 16 January 2013 its “Defence Request to Reschedule the Time and/or Date of the Status Conference scheduled for 29 January 2013” (“Request”).² The defence submits that important personal matters have arisen which require the Lead Counsel’s attendance in London on Tuesday afternoon.³ In order for the counsel to attend the status conference, the defence subsequently requests that the status conference be rescheduled to either the morning of 29 January 2013 or to 28 January 2013.⁴
2. On 17 January 2013, in response to the defence Request, the Common Legal Representatives (“CLR”) submitted that they are not available on 28 January 2013 for logistical reasons.⁵ In addition, upon informal consultations, the Office of the Prosecutor⁶ and the CLR⁷ confirmed to the Chamber their availability in the morning of 29 January 2013.
3. Having considered the parties and participants’ submissions and the fact that no other hearings are scheduled for the week commencing on 28 January 2013, as also set out by the defence,⁸ the Chamber finds that the defence has shown good cause for re-scheduling the status conference on the same date but at a different time.

¹ Order scheduling a status conference, 14 December 2012, ICC-02/05-03/09-429.

² Defence Request to Reschedule the Time and/or Date of the Status Conference scheduled for 29 January 2013, 15 January 2013, ICC-02/05-03/09-436.

³ ICC-02/05-03/09-436, paragraph 3.

⁴ ICC-02/05-03/09-436, paragraph 3.

⁵ Requête en Réponse des Représentants Légaux Communs à la « Defence Request To Reschedule the Time and/or Date for the Status Conference scheduled for 29 January 2013, 16 January 2013, ICC-02/05-03/09-437.

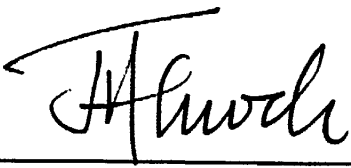
⁶ E-mail from the Office of the Prosecutor to the Chamber’s Legal Officer on 17 January 2013, 12:13.

⁷ E-mail from the Common Legal Representatives to the Chamber’s Legal Officer on 17 January 2013, 16:08.

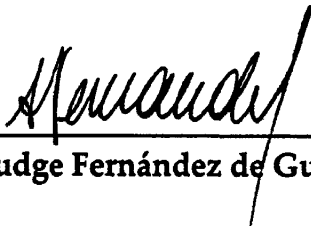
⁸ ICC-02/05-03/09-436, paragraph 3.

4. For these reasons, the Chamber, pursuant to Rule 132(1) of the Rules of Procedure and Evidence, will hold the status conference on 29 January 2013 starting at 09.30.

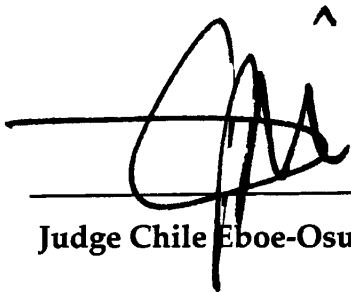
Done in both English and French, the English version being authoritative.



Judge Joyce Aluoch



Judge Fernández de Gurmendi



Judge Chile Eboe-Osuji

Dated this 18 January 2013

At The Hague, The Netherlands