

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-02/05-01/09
Date: 23 February 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
With one annex**

**Transmission of written observations from the Kingdom of Belgium,
dated 20 February 2017, submitted pursuant to Pre-Trial Chamber II's Decision
ICC-02/05-01/09-274**

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

Competent Authorities of the Kingdom
of Belgium

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. In accordance with rule 13 (1) of the Rules of Procedure and Evidence, the Registry hereby transmits as an annex to this filing, the written observations from the Kingdom of Belgium dated 20 February 2017 with reference number WL35/ICT-96-03/5220/BH/2017/019.

II. Procedural History


2. In a decision issued on 8 December 2016, Pre-Trial Chamber II (“Chamber”) convened “a public hearing on 7 April 2017, in order to discuss any issues relevant to the Chamber's determination of whether to make a finding of non-compliance by South Africa with the Court's request for arrest and surrender of Omar Al Bashir and refer the matter to the Assembly of States Parties and/or the Security Council of the United Nations under article 87(7) of the Statute”.¹
3. The Chamber also invited “any interested State Party to the Rome Statute, if they so wish, to make written submissions on the matter, by 24 February 2017”.²

¹ Pre-Trial Chamber II, “Decision convening a public hearing for the purposes of a determination under article 87(7) of the Statute with respect to the Republic of South Africa”, dated 8 December 2016, ICC-02/05-01/09-274, p. 8.

² *Id.*

III. Submission

4. On 22 February 2017, the Registry received the annexed written submissions from the competent authorities of the Kingdom of Belgium, which it now transmits to the Chamber.



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

Dated this 23 February 2017

At The Hague, the Netherlands