

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 25 May 2018

PRE-TRIAL CHAMBER II

Before: Judge Antoine Kesia-Mbe Mindua, Presiding Judge
Judge Tomoko Akane
Judge Rosario Salvatore Aitala

SITUATION IN DARFUR, SUDAN

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

**Public Document
With Confidential Annex**

Transmission of a Note Verbale dated 20 April 2018 from the Republic of Chad

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

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Transmission

1. In accordance with rules 13(1) and 176(2) of the Rules of Procedure and Evidence, the Registry hereby transmits, as an annex to the present submission, a note verbale (076/ATBEL/SD/2018) from the Embassy of the Republic of Chad to the Kingdom of Belgium, dated 20 April 2018 and received by the Registry on 16 May 2018.

II. Procedural history

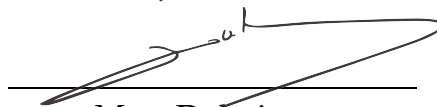
2. On 13 December 2017, Pre-Trial Chamber II (“Chamber”) issued the “Decision inviting the Republic of Chad to provide submissions concerning its failure to arrest Omar Al-Bashir and surrender him to the Court” (“Decision”).¹
3. On 19 December 2017, the Registry transmitted to the authorities of Chad the Decision both in its original language and French translation. The authorities of Chad were invited to provide their submissions by 22 January 2018.
4. On 26 January 2018, the Registry informed the Chamber that it had received no reply from the authorities of Chad.²
5. On 16 May 2018, the Registry received a note verbale from the Republic of Chad. Upon receipt of the note verbale, the Registry contacted the Embassy of Chad to enquire whether there would be any additional information explaining the delay in providing submissions. The Registry has not yet received any reply from the authorities of Chad.

¹ Pre-Trial Chamber II, “Decision inviting the Republic of Chad to provide submissions concerning its failure to arrest Omar Al-Bashir and surrender him to the Court”, 13 December 2017, ICC-02/05-01/09-311.

² Registry, “Report of the Registrar on the Implementation of the “Decision inviting the Republic of Chad to provide submissions concerning its failure to arrest Omar Al-Bashir and surrender him to the Court” (ICC-02/05-01/09-311)”, 26 January 2018, ICC-02/05-01/09-317.

III. Classification

6. Pursuant to regulation 23bis(2) of the Regulations of the Court, the annex is filed as confidential pending confirmation by the Chadian authorities of the level of classification of their note verbale to the Court.



Marc Dubuisson
Director of the Division of Judicial Services
On behalf of Peter Lewis, Registrar

Dated this 25 May 2018

At The Hague, the Netherlands