



Original: English

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

Date: 2 May 2013

PRE-TRIAL CHAMBER II

Before: Judge Ekaterina Trendafilova, Presiding Judge
Judge Hans-Peter Kaul
Judge Cuno Tarfusser

SITUATION IN DARFUR, SUDAN

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

**Public Document
With 1 confidential annex**

**Report of the Registry on the execution of the “Decision Requesting Observations
from the Republic of Chad on the Possible Reclassification of Document ICC-
02/05-01/09-150-Conf-Anx1”**

Source: Registry

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

The Office of the Prosecutor

Fatou Bensouda, Prosecutor

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

Herman von Hebel

Counsel Support Section

Deputy Registrar

Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

THE REGISTRY of the International Criminal Court (the “Court”):

NOTING the “Decision Requesting Observations on Omar Al-Bashir’s Visit to the Republic of Chad”¹ issued by Pre-Trial Chamber II (“the Chamber”) on 22 February 2013;

NOTING the "Report of the Registry on the observations submitted by the Republic of Chad on Omar Al-Bashir's visit to the Republic of Chad"² dated 21 March 2013;

NOTING the "Decision on the Non-compliance of the Republic of Chad with the Cooperation Requests Issued by the Court Regarding the Arrest and Surrender of Omar Hassan Ahmed Al-Bashir"³ issued by the Chamber on 26 March 2013;

NOTING the “Decision Requesting Observations from the Republic of Chad on the Possible Reclassification of Document ICC-02/05-01/09-150-Conf-Anx1”⁴ (“the Decision”) issued by the Chamber on 18 April 2013;

NOTING rule 176(2) of the Rules of Procedure and Evidence and Regulation 23*bis* of the Regulations of the Court;

CONSIDERING that the Chamber requested “the Republic of Chad to submit its observations on the classification chosen for document ICC-02/05-01/09-150-Conf Anx1 and on the possibility to reclassify it as public, by no later than Wednesday 1 May 2013”⁵;

¹ ICC-02/05-01/09-147

² ICC-02/05-01/09-150 and its annex

³ ICC-02/05-01/09-151

⁴ ICC-02/05-01/09-152

⁵ Ibid, p. 5

CONSIDERING that the Chamber ordered the Registry “to immediately translate the present decision into French in order to transmit it urgently to the competent authorities of the Republic of Chad through the appropriate channel of communication”⁶;

INFORMS the Chamber as follows:

1. The Registry transmitted the French translation of the Decision to the Embassy of the Republic of Chad to the Kingdom of Belgium (“the Embassy”), the designated channel of communication for the Republic of Chad, on 24 April 2013.
2. A representative of the Registry contacted the Embassy by phone one week prior to the deadline to remind the authorities of the upcoming deadline.
3. As of 1 May 2013, the Registry has not received a response from the Republic of Chad regarding the reclassification of document ICC-02/05-01/09-150-Conf-Anx1.
4. The annex to the present report is submitted as *confidential* as it refers to an official correspondence to the Republic of Chad.

TRANSMITS in annex:

- The note verbale dated 23 April 2013 transmitting the Decision to the Embassy of the Republic of Chad and the acknowledgment of transmission (Annex 1);

⁶ Ibid, p.6

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to be 'H. von Hebel', written over a dashed horizontal line.

Herman von Hebel, Registrar

Dated this 2 May 2013

At The Hague, The Netherlands