

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13 OA6

Date: 21 October 2014

THE APPEALS CHAMBER

Before: Judge Sanji Mmasenono Monageng, Presiding Judge
 Judge Sang-Hyun Song
 Judge Akua Kuenyehia
 Judge Erkki Kourula
 Judge Anita Ušacka

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO,
 AIMÉ KILOLO MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE
 BABALA WANDU and NARCISSE ARIDO***

**Public
 URGENT**

With two public annexes and three confidential annexes

**Transmission of the observations submitted by the Dutch and French authorities
 on the "Order to consult with the authorities of the Kingdom of the Netherlands
 and French Republic " (ICC-01/05-01/13-688)**

Source: The Registry

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

The Office of the Prosecutor

Fatou Bensouda

Helen Brady

Counsel for Narcisse Arido

Göran Sluiter

States' Representatives

The Kingdom of the Netherlands

The French Republic

REGISTRY

Registrar

Herman von Hebel

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

NOTING the “*Order to consult with the authorities of the Kingdom of the Netherlands and the French Republic*”¹ dated 8 October 2014;

NOTING regulation 23*bis* of the Regulations of the Court;

CONSIDERING that the Appeals Chamber requested the Registrar to consult with the relevant authorities of the Kingdom of the Netherlands and the French Republic to ascertain whether documents ICC-01/05-01/13-537-Conf-AnxI and ICC-01/05-01/13-537-Conf-AnxII , or any information contained therein, can be reclassified as public and to report, by 16h00 on Monday 20 October 2014, on the result of these consultations;²

INFORMS the Appeals Chamber as follows:

1. The Registry transmitted the Order and its French version via a note verbale to the French authorities on 10 October 2014. The French authorities transmitted their observations on 17 October 2014 (annex I).
2. The Registry transmitted the Order via a note verbale to the Kingdom of the Netherlands on 9 October 2014. The Netherlands transmitted their observations on 20 October 2014 at 17h44 (annex II).
3. The present filing is classified public in accordance with the classification of the Order. Annex I contains the note verbale to the French authorities and their response and is classified public as the French authorities did not oppose such reclassification. Annex II is classified confidential at the request of the Dutch authorities. Annex III is the note verbale addressed by the Registry to

¹ ICC-01/05-01/13-688

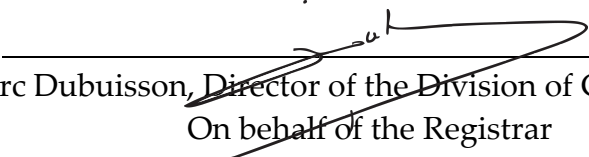
² Idem, p.3

the Dutch authorities and is classified public. Annexes IV and V contain the memorandum of notification to the relevant national authorities. They are classified confidential as they mention the names of the public servants and ICC staff members.

TRANSMITS in annexes:

- The observations submitted by the French authorities dated 17 October 2014 as well the note verbale of the Registry (Annex I);
- The observations submitted by the Dutch authorities dated 20 October 2014 (Annex II - Confidential);
- The note verbale of the Registry sent to the Kingdom of the Netherlands (Annex III)
- The memorandum of notification signed by the French authorities (Annex IV - Confidential);
- The memorandum of notification signed by the Dutch authorities (Annex V - Confidential).

RESPECTFULLY SUBMITTED,



Marc Dubuisson, Director of the Division of Court Services
On behalf of the Registrar

Dated this 21 October 2014

At The Hague, The Netherlands