

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/05-01/09
Date: 24 December 2015

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

PUBLIC

Decision on the request of the Republic of South Africa for an extension of the time limit for submitting their views for the purposes of proceedings under article 87(7) of the Rome Statute" of 15 October 2015 (ICC-02/05-01/09)

Source: Embassy of the Republic of South Africa

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Steward

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

Republic of South Africa

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Government of the Republic of South Africa (hereinafter referred to as "the Government") makes the following supplementary submission to its Submission dated 21 December 2015 on the "Decision on the request of the Republic of South Africa for an extension of the time limit for submitting their views for the purposes of proceedings under article 87(7) of the Rome Statute" of 15 October 2015 (ICC-02/05-01/09) of Pre-Trial Chamber II and transmitted via Note Verbale (Reference: 2015/ER/166/ebs/JCA) on 16 October 2015 (hereinafter referred to as "the Decision").

1. In accordance with the Decision, the Government submitted on 21 December 2015 its report on the latest developments in the domestic judicial proceedings and on the status of the relevant domestic judicial proceedings in the *Matter between the Southern African Litigation Centre and the Minister of Justice and Correctional Services and Others and relating to the visit to South Africa by President Al-Bashir* (Case number 27740/2015).
2. In the Submission of 21 December 2015, the Government indicated that on 24 November 2015, the Supreme Court of Appeal issued a Court Order regarding the "*Application for Leave to Appeal: Minister of Justice and Constitutional Development and Eleven Others v Southern African Litigation Centre*", under case number 867/15, that oral arguments on the application for leave to appeal be presented to the Court by counsel for the applicants and the respondent in terms of Section 17(2)(d) of the *Superior Courts Act, Act No. 10 of 2013*. Section 17(2)(d) provides that the judges of the Supreme Court of Appeal, considering an application for leave to appeal, may dispose of the application without the hearing of oral argument, but may, if they are of the opinion that the circumstances so require, order that it be argued before them. The Registrar of the Supreme Court of Appeal conveyed on 23 December 2015 that the matter has been set down for a hearing on 13 February 2016.

NAMHLA GIGABA: COUNSELLOR BILATERAL
 on behalf of
 H.E. MR VB KOLOANE
 AMBASSADOR OF THE REPUBLIC OF SOUTH AFRICA
 IN THE KINGDOM OF THE NETHERLANDS



24 December 2015

At The Hague, The Netherlands



**OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA**

Supreme Court of Appeal - Registrar's Office • PO Box 258, Bloemfontein, 9300 • c/o Elizabeth & President
Brand Street, Bloemfontein •
Tel (051) 4127 400 • Fax (051) 4127 449 • www.supremecourtsofappeal.gov.za

Enquiries: L. COETZER

Date: 24 December 2015

Ref: 867/15

YOUR REF : 239/201501274/P1 S

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STATE ATTORNEY
PRIVATE BAG X 20630
BLOEMFONTEIN
9300

WEBBERS ATTORNEYS
P O BOX 501
BLOEMFONTEIN
9300

Mr/Me

**APPEAL : THE MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
vs THE SOUTHERN AFRICA LITIGATION CENTRE**

The matter has been set down for hearing on 13 February 2016.

The appellant is directed to file his heads of argument on or before 15 January 2016
and the respondent on or before 29 January 2016.

Yours faithfully,

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L. COETZER
p.p.; REGISTRAR