

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



*Original: English*

*No.: ICC-02/17*  
**Date: 7 April 2022**

**PRE-TRIAL CHAMBER II**

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

**SITUATION IN THE ISLAMIC REPUBLIC OF AFGHANISTAN**

**Public**  
**With two Confidential Annexes**

**Public Redacted Version of “Transmission of [REDACTED] pursuant to Pre-Trial  
Chamber II’s Decision ICC-02/17-182 of 24 February 2022”, 25 March 2022, ICC-  
02/17-185-Conf**

**Source:** The Registry

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

**The Office of the Prosecutor**

Mr Karim A. A. Khan

Mr Manoj Sachdeva

**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**

The Islamic Republic of Afghanistan

*Amicus Curiae*

**REGISTRY**

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**Registrar**

Mr Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

Mr Philipp Ambach

**Other**

## **I. Transmission**

1. Pursuant to the “Order setting the schedule for the filing of submissions in the proceedings pursuant to article 18(2) of the Rome Statute and rule 55(2) of the Rules of Procedure and Evidence”<sup>1</sup> (“Order”) and in accordance with rule 13(1) of the Rules of Procedure and Evidence (“Rules”), the Registry hereby transmits to Pre-Trial Chamber II [REDACTED].<sup>2</sup>

## **II. Classification**

2. Pursuant to regulation 23 *bis*(1) of the Regulations of the Court (“RoC”), the present report and its annexes are classified as confidential, [REDACTED].

## **III. Applicable Law**

3. The following provisions and legal texts are of particular relevance to the present submissions: article 87(1) of the Rome Statute (“Statute”) and rules 13(1) and 176(2) of the Rules.

## **IV. Submissions**

4. In accordance with article 87(1) of the Statute, all requests to the Afghan authorities shall be transmitted through the diplomatic channel. The authorities did not designate any other appropriate channel following ratification of the Statute.
5. On 24 February 2022, the Registry transmitted the Order, by way of note verbale,<sup>3</sup> to the Embassy, for onward communication to the competent Afghan

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<sup>1</sup> Pre-Trial Chamber II, “Order setting the schedule for the filing of submissions in the proceedings pursuant to article 18(2) of the Rome Statute and rule 55(2) of the Rules of Procedure and Evidence”, 24 February 2022, ICC-02/17-182.

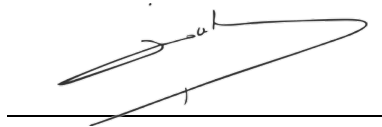
<sup>2</sup> Annex I to the present report.

<sup>3</sup> Annex II to the present report.

authorities. The Registry also informed that it remained at the disposal of the authorities for any questions.

6. On 1 March 2022, the Embassy confirmed receipt of the Registry note verbale and the Order, by email and attaching the signed version of the Memorandum of Notification.<sup>4</sup>

7. [REDACTED].<sup>5</sup>

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line and a small flourish.

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

Dated this 7 April 2022

At The Hague, the Netherlands

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<sup>4</sup> *Idem.*

<sup>5</sup> Annex I to the present report.