

ANNEX 3

Public



Ministerie van Buitenlandse Zaken

Protocol Department
DKP-2011/708

The Ministry of Foreign Affairs of the Netherlands presents its compliments to the International Criminal Court and has the honour to refer to the Note Verbale of the Registry of the International Criminal Court to the Minister of Foreign Affairs of the Kingdom of the Netherlands dated 23 August 2011 by which the Registry transmitted a "Decision requesting observations on the "Third Defence request for interim release" of 19 August 2011 (ICC-01/04-01/10-384).

With reference to Regulation 51 of the Regulations of the Court, the Netherlands, as the host State of the Court, notes that Mr MBARUSHIMANA has requested to be released to the French Republic. On the basis of Article 47 in conjunction with Article 44 of the Headquarters Agreement between the International Criminal Court and the host State, the Netherlands will, in consultation and cooperation with the Court and the relevant foreign authorities, facilitate the transfer of Mr MBARUSHIMANA into the French Republic should he be granted interim release.

The Ministry of Foreign Affairs of the Netherlands takes this opportunity to renew to the International Criminal Court the assurances of its highest consideration.

The Hague, 25 August 2011



To the International Criminal Court
The Hague