

ANNEX
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United Nations Nations Unies

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REFERENCE: 2010-OLC-000328

23 February 2017

Dear Mr. Von Hebel,

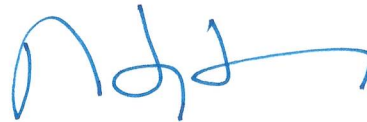
I refer to your Note Verbale of 12 December 2016 (n°. NV/2016/EOSS/367/JCA/ms) transmitting the “Decision convening a public hearing for the purposes of a determination under Article 87(7) of the Statute with respect to the Republic of South Africa” issued by Pre-Trial Chamber II on 8 December 2016 in the case of *The Prosecutor v. Omar Al Bashir*.

Pursuant to that decision, the Chamber convened a public hearing set to take place on 7 April 2017, in order to discuss any issues relevant to the Chamber’s determination of whether to make a finding of non-compliance by South Africa with the Court’s request for the arrest and surrender of Omar Al Bashir and to refer the matter to the Assembly of States Parties and/or the Security Council of the United Nations under Article 87(7) of the Statute. The Chamber’s decision also invited representatives of the United Nations to attend the hearing, and to make written submissions prior to the hearing no later than 17 March 2017.

Further to internal consultations on the matter, I write to inform you that the Secretariat will not be sending a representative to attend the hearing, and will not be making written submissions for the Chamber’s consideration.

Best Regards,

Yours sincerely,



Miguel de Serpa Soares
Under-Secretary-General for Legal Affairs
and United Nations Legal Counsel

Mr. Herman Von Hebel
Registrar
International Criminal Court
The Hague