

## **ANNEX II**



**Internal memorandum  
Memorandum interne**

<b>To   À</b>	<b>Registrar</b>	<b>From   De</b>	<b>Presidency</b> <i>Shs</i>
<b>Date</b>	16 December 2010	<b>Through   Via</b>	
<b>Ref.</b>	2010/PRES/344-9	<b>Copies</b>	Aprodec asbl
<b>Subject   Objet</b>	<b>Confidentiality of the Presidency's decision on the complaint of misconduct made by Aprodec asbl</b>		

1. On 1 December 2010, the Presidency of the International Criminal Court ("Court") found the complaint of the *Association pour la Promotion de la démocratie et du développement de la République Démocratique du Congo, association sans but lucratif* ("Aprodec asbl") against you for alleged misconduct ("Complaint") to be manifestly unfounded ("Decision").
2. The Decision noted that, pursuant to rule 26(1), the Complaint and the Decision shall remain confidential unless the Presidency indicates otherwise.
3. The Presidency notes that a complaint of this nature would ordinarily remain confidential but considers that the present circumstances are unusual in that the initial application by Aprodec asbl and some related documents were originally filed with a "public" classification, prior to being reclassified as confidential. Noting, therefore, that information about the allegations against you has been in the public domain, if you wish that the Decision be filed publicly, you may communicate such desire to the Presidency.
4. If so, please also indicate whether you wish any of the additional documents in the file, which have been reclassified as confidential, to also be reclassified as public.