

Note: This translation has been prepared by the Registry for internal purposes and has no official character

INTERNATIONAL COURT OF JUSTICE

**CASE CONCERNING
IMMUNITIES AND CRIMINAL PROCEEDINGS
(EQUATORIAL GUINEA v. FRANCE)**

COUNTER-MEMORIAL OF THE FRENCH REPUBLIC

ANNEXES

6 December 2018

[Translation by the Registry]

LIST OF ANNEXES

- Annex 1 Note Verbale No. 3227 from the Ministry of Foreign Affairs of the French Republic to the Embassy of the Republic of Equatorial Guinea, 28 June 2002
- Annex 2 Note Verbale from the Embassy of the Republic of Equatorial Guinea to the Ministry of Foreign Affairs of the French Republic, 27 December 2006
- Annex 3 Record of on-site inspection at 42 avenue Foch, 75016 Paris, 5 October 2011
- Annex 4 Note Verbale No. 5638 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of the Republic of Equatorial Guinea, 13 June 2014
- Annex 5 Note Verbale No. 2016-313721 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of the Republic of Equatorial Guinea, 27 April 2016
- Annex 6 Note Verbale No. 069/2017 from the Embassy of the Republic of Equatorial Guinea to the Ministry of Foreign Affairs and International Development of the French Republic, 15 February 2017
- Annex 7 Note Verbale No. 2017-158865 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of the Republic of Equatorial Guinea, 2 March 2017
- Annex 8 Protocol Handbook of the Federal Foreign Office of the Federal Republic of Germany, published on 1 January 2013
- Annex 9 Note Verbale No. 3190 from the Ministry of Foreign Affairs of the French Republic to the Embassy of the Republic of Equatorial Guinea, 6 July 2005
- Annex 10 Note Verbale from the Embassy of [X] to the Ministry of Foreign Affairs and International Development of the French Republic, 6 May 2016
- Annex 11 Note Verbale No. 2016-468932 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of [X], 24 June 2016
- Annex 12 Note Verbale from the Embassy of [X] to the Ministry of Foreign Affairs and International Development of the French Republic, 12 January 2017
- Annex 13 Note Verbale No. 2017-050359 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of [X], 20 January 2017
- Annex 14 Memorandum filed in the interest of the Republic of Equatorial Guinea, represented by Mr. Jean Pierre Mignard and Mr. Jean Charles Tchikaya, for the attention of the competent services of the French Republic in the so-called “ill-gotten gains” case: the Equatorial Guinean chapter, 16 October 2015
-

ANNEX 1

**Note Verbale No. 3227 from the Ministry of Foreign Affairs of the French Republic to the
Embassy of the Republic of Equatorial Guinea, 28 June 2002**

Note Verbale No. 3227 from the Ministry of Foreign Affairs of the French Republic to the Embassy of the Republic of Equatorial Guinea, 28 June 2002

[Translation]

The Ministry of Foreign Affairs presents its compliments to the Embassy of the Republic of Equatorial Guinea and refers to the request, submitted by the Embassy, for an exemption from the registration fees relating to the acquisition of premises at 29 boulevard de Courcelles in Paris (8th arr.).

The Protocol Department has duly consulted the Tax Legislation Department, which has just informed it of the following.

The Paris Prefecture has granted the derogation concerning the reassignment of the premises from residential to administrative use. The official character of the premises in question has been recognized since 29 March 2001. A copy of the amended deed reflecting the requested changes has also been communicated to the tax authorities.

The exemption can thus be granted. Fees owed to the registrar of mortgages and stamp duties remain payable, however. The attention of the Embassy is drawn to the fact that this exemption may be withdrawn should the agreed assignment of the premises not be respected.

The Ministry of Foreign Affairs avails itself of this opportunity to renew to the Embassy of the Republic of Equatorial Guinea the assurances of its highest consideration.

ANNEX 2

**Note Verbale from the Embassy of the Republic of Equatorial Guinea to the Ministry of
Foreign Affairs of the French Republic, 27 December 2006**

Note Verbale from the Embassy of the Republic of Equatorial Guinea to the Ministry of Foreign Affairs of the French Republic, 27 December 2006

[Translation]

The Embassy of the Republic of Equatorial Guinea in France presents its compliments to the Ministry of Foreign Affairs, Protocol Department, and, further to Note No. 4627/PRO/PID of 12 December 2006, has the honour to transmit to it the information requested regarding the residence of the Ambassador.

The Embassy would like to apologize to the Protocol Department for the mistake made in its Note No. 3190 of 6 July 2005; the Ambassador's residence is actually an apartment located at 8 bis ~~avenue~~ rue* de Verzy in the Villa des Ternes, at 96 avenue des Ternes, and not a residential complex at 8 to 10 avenue de Verzy.

The Ambassador took possession of the premises on his arrival in France on 28 April 2006.

The vacated premises (16 avenue Baudelaire in Sartrouville) are undergoing renovation and will be used to house diplomats and high-ranking officials.

The Embassy of the Republic of Equatorial Guinea in France thanks the Ministry of Foreign Affairs, Protocol Department, in advance for its understanding and avails itself of this opportunity to renew to it the assurances of its highest consideration.

* *[Translator's note: a handwritten correction has been made to the text here to change "avenue" to "rue".]*

ANNEX 3

Record of on-site inspection at 42 avenue Foch, 75016 Paris, 5 October 2011

Record of on-site inspection at 42 avenue Foch, 75016 Paris, 5 October 2011

[Translation]

FRENCH REPUBLIC
MINISTRY OF THE
INTERIOR, OVERSEAS
TERRITORIES AND THE
REGIONS

**DIRECTORATE-GENERAL
FOR THE NATIONAL
POLICE**

[stamp: National Police, Central
Office of the Judicial Police]

***Organized and Financial
Crime Unit***

Serious Financial Crime Squad

Report No. PJ 202/2010/47

CASE:

Concealment of the
misappropriation of public funds
v. X

SUBJECT:

On-site inspection at 42 avenue
Foch 75016 Paris
Findings

[stamp: National Police, Central
Office of the Judicial Police No.
(illegible)]

D476

RECORD

In the year two thousand and eleven, the fifth of October,

At 10 a.m.,

We, **Jean-Philippe RAPAZ**,

Police Captain

Assigned to the Serious Financial Crime Squad

— Officer of the Judicial Police, residing at the Ministry of
the Interior, 11 rue des Saussaies 75008 Paris,

— Being on duty.

— Continuing execution of Judicial Instruction
No. 2292/10/12 issued on 9 December 2010 by Mr. Roger
LE LOIRE and Mr. René GROUMAN, Senior Judges in
charge of the investigation at the *Tribunal de Grande
Instance* of Paris, considering the preliminary investigatory
proceeding against X (*information contre X*) for complicity
in handling misappropriated public funds, complicity in the
misappropriation of public funds, money laundering,
complicity in money laundering, misuse of corporate
assets, complicity in misuse of corporate assets, breach of
trust, complicity in breach of trust, and concealment of
each of these offences, acts which are defined and
punishable under Articles 321-1, 432-15, 324-1 and 314-1
of the Penal Code, Article 241-3 of the Commercial Code,
and Articles 121-6 and 121-7 of the Penal Code with
regard to complicity.

— Considering Articles 81 and 151 *et seq.* of the Code of
Criminal Procedure,

— Assisted by Inspector Grégory BASSET, from the
department,

— We went to 40/42 avenue Foch, 75016 Paris, from where
the vehicles belonging to Mr. Teodoro NGUEMA
OBIANG had been seized.

— Where we were present, at 10.30 a.m.,

— We noted at the entrance porch of 42 avenue Foch the

presence of two A4 makeshift signs on the two double doors, marked “*REPUBLIQUE DE GUINEE EQUATORIALE* (written in both French and Spanish) — *LOCAUX DE L'AMBASSADE*” (Republic of Equatorial Guinea — Embassy premises). The official address of the Embassy of Equatorial Guinea, 29 boulevard de Courcelles, Paris (8th arr.), also appeared on the two signs.

- We proceeded to photograph the signs; the photographs are annexed hereto.
- Once we had identified ourselves and showed our ID cards, we made contact with the caretaker of 42 avenue Foch.
- The person we were speaking with presented a national identity card in the name of Francis LECLEIRE, born 03/01/1955 in MALO LES BAINS (59), a French citizen, caretaker of the building, residing at the address indicated.
- Having first been sworn in in accordance with the law, Mr. LECLEIRE declared the following to us:
 - “You have noted the presence of two signs. Yesterday, at 2 p.m., a black MERCEDES vehicle, licence plate number 138CD26, entered the inner courtyard of No. 42. Inside were a driver and two members of the Embassy staff.
 - While in my lodge, I saw those individuals put signs up on the double doors, bearing the text you yourselves have seen.
 - The doors in question lead, on the right when you go in, to a room which serves as a home cinema, with a large screen at the far end; the double doors on the left lead to a games room. That room was previously used as an office.
 - They also put the same signs on the door to the entrance hall leading to the staircase where Mr. NGUEMA’s private apartments are located. I can tell you that the entrance hall and staircase are communal areas of the apartment building, as was confirmed to me by the building’s managers when I notified them of the situation.
 - The property management firm is LANGLOIS, located at 105 bis boulevard Malesherbes, 75008 PARIS, represented by Ms HAUDEBOURG (01 53 43 33 13).
 - Ms HAUDEBOURG instructed me to remove the sign on the door to the entrance hall, which I did.
 - The individuals took the sign and left.
 - I would add that those individuals also put the same signs on all the floors and outbuildings belonging to

Mr. Teodoro OBIANG NGUEMA.

— I have nothing further to add.”

— As our operation ended without incident, we left the premises.

— After personally reading this document, the person concerned confirmed and signed it, as did we and our assistant, at 11.30 a.m.

Mr. LECLEIRE

(Signed)

Assistant

(Signed)

Police Captain

(Signed)

[Stamp: National Police — Central Office of the Judicial Police No. (illegible)]

DL76/3



U. J. A. ...
11/11/15

0476/4

00000001



Ambassade de la République de
Guinée Equatoriale
en France

REPUBLIQUE DE GUINEE EQUATORIALE

LOCAUX DE L'AMBASSADE



Le présent document est communiqué en vertu de l'article 10 de la loi n° 78-17 du 6 JANVIER 1978 relative à l'accès à l'information.



D476/5



116 01 000000
115 00



Dat/c

ANNEX 4

**Note Verbale No. 5638 from the Ministry of Foreign Affairs and International Development
of the French Republic to the Embassy of the Republic of Equatorial Guinea,
13 June 2014**

**Note Verbale No. 5638 from the Ministry of Foreign Affairs and International Development
of the French Republic to the Embassy of the Republic of Equatorial Guinea,
13 June 2014**

[Translation]

The Ministry of Foreign Affairs and International Development, Protocol Department, presents its compliments to the Embassy of the Republic of Equatorial Guinea and, referring to the Embassy's Note Verbale No. 693/[1]4 of 10 June 2014, has the honour to inform it of the following.

1. The Embassy asked the Protocol Department whether "all the residential properties belonging to the State of the Republic of Equatorial Guinea assigned for diplomatic use by staff of the Embassy in Paris are subject to property taxes".
2. The Protocol Department reminds the Embassy that, under Article 23 of the Vienna Convention on Diplomatic Relations of 18 April 1961, diplomatic premises, including the residence of the head of mission, are exempt from all national, regional or municipal dues and taxes, other than such as represent payment for specific services rendered.
3. It follows from the above that the Embassy and the residence of the Ambassador, officially recognized as such, are exempt from property tax. These premises are also exempt from residential tax.

However, taxes representing payment for specific services rendered, i.e. street cleaning and the removal of household waste, remain payable.

4. The premises of the Embassy located at 29 boulevard de Courcelles in Paris (8th arr.) and the residence of the Ambassador at 8 bis avenue de Verzy in Paris (17th arr.) are thus exempt from property tax, the latter being the address of the Ambassador's residence, as appears in the Embassy's Note Verbale No. 824/13 of 3 October 2013.
5. Among the premises listed as being assigned for diplomatic use by Embassy staff in Paris are two further addresses at 44 and 46 rue des Belles Feuilles in Paris (16th arr.), described as the "residence of the Permanent Delegate to UNESCO" of the Republic of Equatorial Guinea.

The Protocol Department would point out that the residence at 46 rue des Belles Feuilles in Paris (16th arr.), recognized as the residence of the Permanent Delegate of the Republic of Equatorial Guinea, also benefits from the exemptions set out in point 3 of this Note Verbale.

The premises at 44 rue des Belles Feuilles are not known to the Protocol Department.

The Ministry of Foreign Affairs and International Development, Protocol Department, avails itself of this opportunity to renew to the Embassy of the Republic of Equatorial Guinea the assurances of its highest consideration.

**Note Verbale No. 693/14 from the Embassy of the Republic of Equatorial Guinea
to the Ministry of Foreign Affairs and International Development
of the French Republic, 10 June 2014**

[Translation]

The Embassy of the Republic of Equatorial Guinea in France presents its compliments to the Ministry of Foreign Affairs and International Development, Protocol Department, Diplomatic Privileges and Immunities Division, and has the honour to enquire whether all the residential properties belonging to the State of the Republic of Equatorial Guinea assigned for diplomatic use by staff of the Embassy in Paris are subject to property taxes, because the Embassy systematically receives requests for the payment of property taxes from the Tax Department for the following residences in particular:

- 29 boulevard de Courcelles, 75008 Paris, former chancellery;
- 8 bis and 12 avenue de Verzy, 75017 Paris, residence of the Ambassador;
- 56 boulevard Pereire, 75017 Paris, residence of the Consul;
- 44 and 46 rue des Belles Feuilles, residence of the Permanent Delegate to UNESCO;
- 22 rue de Bois de Boulogne, 92200 Neuilly-sur-Seine, residence of the First Secretary of the Embassy;
- 24 rue de Saint Petersburg, 75008 Paris, residence of the Third Secretary of the Embassy.

The Embassy of the Republic of Equatorial Guinea in France avails itself of this opportunity to present to the Ministry of Foreign Affairs and International Development the assurances of its highest consideration.

ANNEX 5

**Note Verbale No. 2016-313721 from the Ministry of Foreign Affairs and International
Development of the French Republic to the Embassy of the Republic of
Equatorial Guinea, 27 April 2016**

Note Verbale No. 2016-313721 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of the Republic of Equatorial Guinea, 27 April 2016

[Translation]

The Ministry of Foreign Affairs and International Development, Protocol Department, presents its compliments to the Embassy of Equatorial Guinea and acknowledges receipt of Note Verbale No. 230/2016 from the Embassy dated 21 April 2016, in which it was informed at very short notice that voting for the presidential election in Equatorial Guinea would be held in France on Sunday 24 April 2016.

The Protocol Department avails itself of this opportunity to recall that the Ministry of Foreign Affairs and International Development does not consider the building located at 42 avenue Foch in Paris (16th arr.) as forming part of the premises of Equatorial Guinea's diplomatic mission in France.

The Ministry of Foreign Affairs and International Development, Protocol Department, avails itself of this opportunity to renew to the Embassy of the Republic of Equatorial Guinea the assurances of its highest consideration.

ANNEX 6

**Note Verbale No. 069/2017 from the Embassy of the Republic of Equatorial Guinea to the
Ministry of Foreign Affairs and International Development of the French Republic,
15 February 2017**

Note Verbale No. 069/2017 from the Embassy of the Republic of Equatorial Guinea to the Ministry of Foreign Affairs and International Development of the French Republic, 15 February 2017

[Translation]

The Embassy of the Republic of Equatorial Guinea in France presents its compliments to the Ministry of Foreign Affairs and International Development (Department for Africa and the Indian Ocean), and has the honour to remind it of the situation of uncertainty surrounding this diplomatic mission due to the lack of official recognition of its seat in Paris.

The Embassy wishes to remind the Ministry of Foreign Affairs and International Development of the decision taken by the International Court of Justice, which stated in its Order of 7 December 2016 that:

“France shall, pending a final decision in the case, take all measures at its disposal to ensure that the premises presented as housing the diplomatic mission of Equatorial Guinea at 42 avenue Foch in Paris enjoy treatment equivalent to that required by Article 22 of the Vienna Convention on Diplomatic Relations, in order to ensure their inviolability.”

However, despite this matter being raised at the last two meetings with officials from the Department for Africa and the Indian Ocean, and despite assurances from the Director that a Note recognizing its current status would be sent to the diplomatic mission located at 42 avenue Foch, no such Note has yet been received.

The Embassy of the Republic of Equatorial Guinea in France avails itself of this opportunity to renew to the Ministry of Foreign Affairs and International Development (Department for Africa and the Indian Ocean) the assurances of its highest consideration.

ANNEX 7

**Note Verbale No. 2017-158865 from the Ministry of Foreign Affairs and International
Development of the French Republic to the Embassy of the Republic of
Equatorial Guinea, 2 March 2017**

Note Verbale No. 2017-158865 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of the Republic of Equatorial Guinea, 2 March 2017

[Translation]

The Ministry of Foreign Affairs and International Development, Protocol Department, presents its compliments to the Embassy of the Republic of Equatorial Guinea and, with reference to its Note Verbale No. 069/2017 dated 15 February 2017, has the honour to advise it of the following.

The Protocol Department wishes to point out that the question of the status of the building located at 42 avenue Foch in Paris (16th arr.) is at the centre of the dispute which Equatorial Guinea has brought before the International Court of Justice. In keeping with its consistent position, France does not consider the building located at 42 avenue Foch in Paris (16th arr.) to form part of the premises of the diplomatic mission of the Republic of Equatorial Guinea in France.

In accordance with the Order made by the International Court of Justice on 7 December 2016, and pending the Court's final decision in the case, France will ensure that the premises located at 42 avenue Foch receive treatment equivalent to that required by Article 22 of the Vienna Convention on Diplomatic Relations, in order to ensure their inviolability.

The Ministry of Foreign Affairs and International Development, Protocol Department, avails itself of this opportunity to renew to the Embassy of the Republic of Equatorial Guinea the assurances of its highest consideration.

ANNEX 8

**Protocol Handbook of the Federal Foreign Office of the Federal Republic of Germany,
published on 1 January 2013**

[Annex not translated]

ANNEX 9

**Note Verbale No. 3190 from the Ministry of Foreign Affairs of the French Republic to the
Embassy of the Republic of Equatorial Guinea, 6 July 2005**

Note Verbale No. 3190 from the Ministry of Foreign Affairs of the French Republic to the Embassy of the Republic of Equatorial Guinea, 6 July 2005

[Translation]

The Ministry of Foreign Affairs presents its compliments to the Embassy of Equatorial Guinea and makes reference to the deed of sale transmitted by the notary to the Tax Legislation Department concerning premises in a residential complex known as Villa des Ternes at 8 to 10 avenue de Verzy in Paris (17th arr.), used to house the official residence of its Ambassador.

The Ministry for the Economy, Finance and Industry, Tax Legislation Department, has transmitted the following response to the Protocol Department:

“The deed states that ‘the buyer hereby declares and agrees that the property, object of this sale, is to be used exclusively as the official residence of the Ambassador of the Republic of Equatorial Guinea.’

Article 23 of the Vienna Convention of 18 April 1961 provides that diplomatic premises, including the residence of the head of mission, are exempt from all national, regional or municipal dues and taxes, other than such as represent payment for specific services rendered.

In view of this, the exemption requested can be granted. However, this benefit may be withdrawn should the property be reassigned. Fees owed to the registrar of mortgages and stamp duties remain payable.

Furthermore, the Embassy is kindly asked to notify the Tax Legislation Department in due course, through the Protocol Department, of the Ambassador’s date of arrival at the new premises and to communicate to it the assignment given to the vacated premises at 16 avenue Baudelaire in Sartrouville (Yvelines).”

The Ministry of Foreign Affairs, Protocol Department, avails itself of this opportunity to renew to the Embassy of Equatorial Guinea the assurances of its highest consideration.

ANNEX 10

**Note Verbale from the Embassy of [X] to the Ministry of Foreign Affairs and International
Development of the French Republic, 6 May 2016**

Note Verbale from the Embassy of [X] to the Ministry of Foreign Affairs and International Development of the French Republic, 6 May 2016

[Translation]

The Embassy of [blank] presents its compliments to the French Ministry of Foreign Affairs and International Development, Protocol Department, and has the honour to request it to confirm the diplomatic status of the building at 18 rue Léonard de Vinci, 75016 Paris, property of the Republic of [blank].

The Embassy of [blank] thanks the Ministry of Foreign Affairs and International Development for its kind co-operation and avails itself of this opportunity to renew to it the assurances of its highest consideration.

ANNEX 11

**Note Verbale No. 2016-468932 from the Ministry of Foreign Affairs and International
Development of the French Republic to the Embassy of [X], 24 June 2016**

Note Verbale No. 2016-468932 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of [X], 24 June 2016

[Translation]

The Ministry of Foreign Affairs and International Development, Protocol Department, presents its compliments to the Embassy of [blank] and, with reference to the Embassy's Note Verbale No. 428/[blank] of 6 May 2016, has the honour to inform it of the following.

The Embassy requested the Protocol Department to "confirm the diplomatic status of the building at 18 rue Léonard de Vinci, 75016 Paris, property of the Republic of [blank]."

1. The Protocol Department recalls that it officially recognized this address as being that of the Consulate General on 26 October 2011, the effective opening date of the Consulate, as notified to it by the Embassy in Note Verbale No. 889/PROTO/PI/PN of 9 July 2012.
2. By Note Verbale No. 331/AMBACI-PAR/SC-AA/AN/03-15 of 4 March 2015, the Embassy informed the Protocol Department that, following the departure of the Consul General of [blank], who had ceased his functions on 1 August 2014, the building at 18 rue Léonard de Vinci in Paris (16th arr.) was closed to the public because it did not comply with European security standards and that, pending the completion of work to bring the building up to standard, which was due to start in the summer of 2015, the activities of the Consulate General would be continued at the Embassy's chancellery at 102 avenue Raymond Poincaré in Paris (16th arr.).

On 1 August 2014, therefore, the premises at 18 rue Léonard de Vinci in Paris (16th arr.) ceased to be consular premises under Article 4, paragraph 2, of the Vienna Convention on Consular Relations of 24 April 1963 and have been subject to ordinary law since that date.

The Ministry of Foreign Affairs and International Development, Protocol Department, avails itself of this opportunity to renew to the Embassy of [blank] the assurances of its highest consideration.

ANNEX 12

**Note Verbale from the Embassy of [X] to the Ministry of Foreign Affairs and International
Development of the French Republic, 12 January 2017**

Note Verbale from the Embassy of [X] to the Ministry of Foreign Affairs and International Development of the French Republic, 12 January 2017

[Translation]

The Embassy of [blank] in Paris presents its compliments to the Ministry of Foreign Affairs and International Development and has the honour to request the Ministry to inform it which of the buildings owned by the Embassy of [blank] in France enjoy diplomatic immunity and since when, and the dues and taxes payable in respect of those buildings.

The Ministry will find below the addresses of the buildings owned by the Embassy of [blank].

The Embassy of [blank] avails itself of this opportunity to renew to the Ministry of Foreign Affairs and International Development the assurances of its highest consideration.

The addresses:

[blank]

ANNEX 13

**Note Verbale No. 2017-050359 from the Ministry of Foreign Affairs and International
Development of the French Republic to the Embassy of [X], 20 January 2017**

Note Verbale No. 2017 050359 from the Ministry of Foreign Affairs and International Development of the French Republic to the Embassy of [X], 20 January 2017

[Translation]

The Ministry of Foreign Affairs and International Development, Protocol Department, presents its compliments to the Embassy of [blank] and, with reference to the Embassy's Note Verbale No. PRO/10/1/76 of 11 January 2017, has the honour to inform it of the following.

1. The Embassy of [blank] wished to know which of the buildings owned by it enjoy diplomatic immunity and since when, and the dues and taxes payable in respect of those buildings.

A list of addresses was provided at the end of the Note Verbale.

2. Pursuant to Article 1 (*i*) of the Vienna Convention on Diplomatic Relations of 18 April 1961, the buildings enjoying diplomatic status are those used for the purposes of the mission, including the residence of the head of mission.

In view of this, and in light of the information at the disposal of the Protocol Department, the Embassy at 64 avenue Foch in Paris (16th arr.), the Embassy's offices at 53 rue de la Faisanderie in Paris (16th arr.) (the former address of the chancellery itself) and the residence of the Ambassador at 9 rue d'Andigné in Paris (16th arr.) form part of the premises of the mission, and are officially recognized as such by the Protocol Department. They enjoy, as from the date of effective entry into the premises, the privileges and immunities conferred by the above-mentioned Vienna Convention.

3. As regards the tax situation, Article 23, paragraph 1, of the Convention stipulates that:

“The sending State and the head of the mission shall be exempt from all national, regional or municipal dues and taxes in respect of the premises of the mission, whether owned or leased, other than such as represent payment for specific services rendered.”

While the Embassy of [blank] is the owner of the premises at 64 avenue Foch, 53 rue de la Faisanderie and 9 rue d'Andigné, those premises are exempt from property tax, residential tax and, since 1 January 2014, the tax for the removal of household waste (TEOM). However, the street cleaning tax and any municipal taxes remain payable.

4. To date, the premises at 6-8 rue du général Appert in Paris (16th arr.) have not been presented by the Embassy as housing services of the mission or residences of officials. Therefore, they cannot be officially registered as such by the Protocol Department and do not benefit from the privileges and immunities provided for by the Vienna Convention on Diplomatic Relations.

While [blank] is the owner of the premises, they may, however, under certain conditions set out in customary international law, benefit from immunity from execution, meaning that they cannot be subject to measures of execution.

5. As regards the residences located at 162 boulevard Schley in Grasse (06131) and 149 avenue de Vallauris in Cannes (06400) respectively, they do not form part of the premises of the mission within the meaning of Article 1 (*i*) of the Vienna Convention on Diplomatic Relations of 18 April 1961. Therefore, they do not enjoy privileges and immunities under the Vienna Convention on Diplomatic Relations.

The Ministry of Foreign Affairs and International Development, Protocol Department, avails itself of this opportunity to renew to the Embassy of [blank] the assurances of its highest consideration.

ANNEX 14

Memorandum filed in the interest of the Republic of Equatorial Guinea, represented by Mr. Jean Pierre Mignard and Mr. Jean Charles Tchikaya, for the attention of the competent services of the French Republic in the so called “ill-gotten gains” case: the Equatorial Guinean chapter, 16 October 2015

[Annex not translated]
