

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11-01/11
Date: 23 January 2012

PRE-TRIAL CHAMBER I

Before: Judge Sanji Mmasenono Monageng, Presiding Judge
Judge Sylvia Steiner
Judge Cuno Tarfusser

SITUATION IN LIBYA

**IN THE CASE OF
THE PROSECUTOR *v.*
SAIF AL-ISLAM GADDAFI *and* ABDULLAH AL-SENUSSI**

Public with confidential annex

Report of the Registrar
on Libya's observations regarding the arrest of Saif Al-Islam Gaddafi

Source: Registry

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

The Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor

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**

Mr Xavier-Jean Keïta, Principal Counsel
Ms Melinda Taylor, Counsel

States' Representatives

Competent authorities of Libya

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Counsel Support Section

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

The Registrar of the International Criminal Court (“the Court”):

NOTING the “Public Redacted Version of the Decision Requesting Libya to file Observations Regarding the Arrest of Saif Al-Islam Gaddafi” dated 6 December 2011;¹

NOTING the “Public Redacted version of the Transmission of the Request of Libya for extension of time limit to submit observations regarding the arrest of Saif Al-Islam Gaddafi” dated 10 January 2012²;

NOTING the “Decision of the Request of Libya for extension of time limit to submit observations regarding the arrest of Saif Al-Islam Gaddafi” dated 10 January 2012;³

NOTING Rule 176 (2) of the Rules of Procedure and Evidence and Regulation 23 *bis* of the Regulations of the Court;

CONSIDERING that Pre-Trial Chamber I (“the Chamber”) ordered the Libyan authorities to file submissions “on the following issues: (i) whether Saif Al-Islam Gaddafi was arrested on account of the Court’s warrant of arrest; (ii) whether the information received by the Chamber as to Saif Al-Islam Gaddafi being held incommunicado is true; (iii) when and where could the Registrar, or one of her representatives, meet Saif Al-Islam Gaddafi to seek his views on being assigned counsel from the Court for purposes of proceedings before this Court, (iv) how, when and where could an expert be mandated by the Court to examine Saif Al-Islam

¹ ICC-01/11-01/11-39-Red.

² ICC-01/11-01/11-41-Red.

³ ICC-01/11-01/11-42.

Gaddafi in order to assess his physical and mental state and (v) whether and when the Libyan authorities intend to surrender Saif Al-Islam Gaddafi to the Court";⁴

CONSIDERING that the Libyan authorities requested an extension of time limit to submit their observations regarding the arrest of Saif Al-Islam Gaddafi;⁵

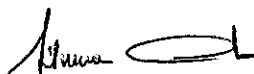
CONSIDERING that the Chamber granted the request for an extension of time limit to Libya until 16:00, Monday, 23 January 2012";⁶

INFORMS the Chamber as follows:

1. The Registry received the observations from the Libyan authorities regarding the arrest of Saif Al-Islam Gaddafi on 20 January 2012;
2. The Libyan authorities indicated that their observations should be filed as *confidential*.

TRANSMITS in annex:

- The observations of Libya (Annex 1).



Silvana Arbia, Registrar

Dated this 23 January 2012

At The Hague, The Netherlands

⁴ ICC-01/11-01/11-39-Red, para. 11

⁵ ICC-01/11-01/11-41-Red, para. 2.

⁶ ICC-01/11-01/11-42, p.4