

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11-01/11

Date: 21 March 2012

PRE-TRIAL CHAMBER I

Before: Judge Fernandez de Gurmendi, Presiding Judge
Judge Hans Peter Kaul
Judge Christine Van den Wyngaert

SITUATION IN LIBYA

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

**Public Redacted Version
With a confidential annex**

**of the "Report of the Registry regarding the arrest of Abdullah Al-Senussi"
(ICC-01/11-01/11-80-Conf-Exp)**

Source: Registry

No. ICC-01/11-01/11

21 March 2012

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
Ms. Fatou Bensouda

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**

States' Representatives

Amicus Curiae

REGISTRY

Registrar
Mme Silvana Arbia
Deputy Registrar
Mr. Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

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

NOTING Resolution 1970¹, adopted by the United Nations Security Council (“UNSC”) on 26 February 2011, whereby the UNSC *inter alia* referred the situation in the Libyan Arab Jamahiriya (“Libya”) since 15 February 2011 to the Prosecutor of the Court, in accordance with article 13(b) of the Rome Statute ,

NOTING the “Decision on the Prosecutions Application for a Warrant of Arrest against Muammar Mohammed Abu Minyar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi” dated 27 June 2011;²

NOTING the Warrant of Arrest for Abdullah Al-Senussi dated 27 June 2011;³

NOTING the “Request to the Lybian Arab Jamahiriya for the arrest and surrender of Muammar Mohammed Abu Minyar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi”;⁴ the “Request to States neighboring the Libyan Arab Jamahiriya for the arrest and surrender of Muammar Mohammed Abu Minyar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi”;⁵ and the “Request to all States Parties to the Rome Statute for the arrest and surrender of Muammar Mohammed Abu Minyar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi”;⁶ and the “Request to the United Nations Security Council members that are not States Parties to the Rome Statute for the arrest and surrender of Muammar Mohammed Abu Minyar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi” dated 4 July 2011;⁷

¹ S/RES/1970(2011)

² ICC-01/11-12

³ ICC-01/11-13, ICC-01/11-14 and ICC-01/11-15

⁴ ICC-01/11-01/11-5

⁵ ICC-01/11-01/11-6

⁶ ICC-01/11-01/11-7

⁷ ICC-01/11-01/11-8

CONSIDERING that Pre Trial Chamber I instructed the Registry to transmit, in consultation and coordination with the Prosecutor the request for cooperation seeking the arrest and surrender of Muammar Gaddafi, Saif Al-Islam Gaddafi and Abdullah Al-Senussi to all States Parties to the Statute, all of Libya's neighboring countries and to the United Nations Security Council members that are not States Parties to the Statute as well as to any other State which may be necessary;⁸

NOTING Articles 58, 59, 87 (2), 87(5) (a), 89(1) of the Rome Statute, Rules 117 and 176(2) of the Rules of Procedure and Evidence;

INFORMS the Chamber as follows:

1. On 17 March 2012, the Registry was informed that Abdullah Al-Senussi had been arrested in Mauritania.
2. On the same day, after consultations took place with the Office of the Prosecutor, the Registry sent by fax a confidential request for arrest and surrender to the Minister of Foreign Affairs (in annex).
3. On 18 March 2012, the Mauritanian media reported that a request had been sent by the Court. On the following day, the Registry reclassified the request as public.
4. [REDACTED]
5. [REDACTED]
6. The Registry will continue to monitor the situation with the authorities of Mauritania, [REDACTED].

⁸ ICC-01/11-01/11-1, page 42

ANNEXES to the present:

- the request for arrest and surrender sent to Mauritania (Annex 1).

RESPECTFULLY SUBMITTED.



Didier Preira, Deputy Registrar
per delegation of Silvana Arbia, Registrar

Dated this 21 March 2012

At The Hague, Kingdom of the Netherlands