

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11-01/11
Date: 21 February 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

**Public Redacted Version of the 'Report of the Registrar
on the Notification of the Decision to Terminate the Case Against Muammar
Mohammed Abu Minyar Gaddafi' (ICC-01/11-01/11-62-Conf-Exp) of 15 February
2012**

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**

States' Representatives

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 "Decision on the 'Prosecutor's Application Pursuant to Article 58 as to Muammar Mohammed Abu Minyar GADDAFI, Saif Al-Islam GADDAFI and Abdullah AL-SENUSSI", issued by the Pre-Trial Chamber I ("the Chamber") on 27 June 2011,¹ and the warrants of arrest corresponding to that decision;²

NOTING the Registry's "Transmission of Muammar Mohammed Abu Minyar Gaddafi's death certificate", dated 10 November 2011;³

NOTING the "Order Requesting Observations Regarding the Transmission of Muammar Mohammed Abu Minyar Gaddafi's death certificate"⁴ dated 14 November 2011 ;

NOTING the "Prosecution's Observations regarding the Transmission of Muammar Mohammed Abu Minyar Gaddafi's death certificate"⁵ dated 15 November 2011;

NOTING the "Decision to Terminate the Case Against Muammar Mohammed Abu Minyar Gaddafi" ⁶ dated 22 November 2011 ("the Decision");

NOTING the [REDACTED];⁷

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

¹ ICC-01/11-01/11-1.

² ICC-01/11-01/11-2, ICC-01/11-01/11-3 and ICC-01/11-01/11-4.

³ ICC-01/11-01/11-22 with two confidential ex parte annexes.

⁴ ICC-01/11-01/11-23.

⁵ ICC-01/11-01/11-24 with confidential ex parte annex 3.

⁶ ICC-01/11-01/11-28.

⁷ [REDACTED]

CONSIDERING that the Chamber ordered the Registrar “to notify the following on the termination of proceedings against Muammar Mohammed Abu Minyar Gaddafi: (I) the United Nations Security Council and (II) all States which were sent cooperation requests for arrest”;^{*}

INFORMS the Chamber as follows:

1. The Registry notified a total of 122 States, including 116 States Parties, 5 United Nations Security Council Members which are not States Parties to the Rome Statute and Libya.

Notification to Libya

2. The Libyan authorities were notified by e-mail on 6 December 2011 through their designated channel of communication.

Notification to States Parties

3. The Registry notified the Decision to 97 States Parties by facsimile.
4. The relevant authorities of the United Kingdom of Great Britain and Northern Ireland, New Zealand and the Kingdom of the Netherlands were notified by e-mail.
5. The following countries were notified by the way of personal service to their Permanent Missions to the United Nations: Cambodia, Comoros, The Gambia, Ghana, Guyana, Marshall Islands, Nauru, Saint Vincent and Grenadines, Samoa, Saint Lucia, Saint Kitts and Nevis, Sierra Leone.

^{*} ICC-01/11-01/11-28, p.5.

6. The relevant authorities of the Central African Republic, the Democratic Republic of the Congo, Kenya and Uganda were notified by way of personal service via the respective Court field offices.
7. Two countries (the Republic of Brazil and the Kingdom of Belgium) acknowledged the receipt of notification by way of a note verbale.
8. [REDACTED]

Notification to United Nations Security Council members which are not States Parties to the Statute

9. The Registry also notified the United Nations Security Council Members which are not States Parties to the Statute by facsimile.
10. Four States (the People's Republic of China, the Russian Federation, the Lebanese Republic and the Republic of India) were notified on 5 December 2011. The United States of America were notified on 6 December 2011.

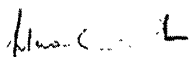
Classification of the filing

11. The Registry files the report *confidential, ex parte Office of the Prosecutor* as the question of [REDACTED] refers to a request for cooperation with this level of classification. A public redacted version of the Report will be filed. The annexes are filed *confidential ex parte Office of the Prosecutor* as the States did not indicate that they agreed for their communications with the Court to be made public. In addition, the notes verbales of the Registry and the replies from States make direct or indirect reference to the existence of requests with this level of classification.

REQUESTS guidance from the Chamber, [REDACTED]

TRANSMITS in annexes:

- The note verbale sent to the National Coordinator of Libya and the e-mail sent to the focal point (Annex 1);
- The note verbale addressed to the States Parties to the Rome Statute and the fax confirmation reports of their delivery (Annex 2);
- The note verbale addressed to the United Nations Security Council Members which are not States Parties to the Rome Statute and the fax confirmation reports of their delivery (Annex 3);
- The acknowledgments of receipt sent by the Republic of Brazil and the Kingdom of Belgium (Annex 4).



Silvana Arbia
Registrar

Dated this 21 February 2012

At The Hague, The Netherlands