



Original: **English**

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

Date: 14 May 2012

PRE-TRIAL CHAMBER I

Before: Judge Silvia 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

**Libyan Government Response to OPCV Request to access documents in relation
to the challenge to the jurisdiction of the Court by the Government of Libya**

Source: The Government of Libya, represented by:
Professor Philippe Sands QC
Professor Payam Akhavan
Ms Michelle Butler

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

Mr. Xavier-Jean Keita, Principal Counsel
Ms. Melinda Taylor, Counsel

Legal Representatives of the Victims

Ms. Paolina Massidda

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 Keita, Principal Counsel
Ms. Melinda Taylor, Counsel

States' Representatives

Professor Philippe Sands QC
Professor Payam Akhavan
Ms. Michelle Butler

Amicus Curiae

REGISTRY

Registrar

Ms. Silvana Arbia

Counsel Support Section

Deputy Registrar

Mr. Didier Daniel Preira

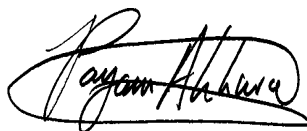
Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Other

1. On 7 May 2012 the Office of the Public Counsel for Victims (“OPCV”) filed its Request to access documents in relation to the challenge to the jurisdiction of the Court by the Government of Libya (“Request”).
2. In this Request the OPCV requested the following relief from the Pre-Trial Chamber:
 - a) To order the notification to the OPCV of the unredacted version of the Application under article 19 of the Rome Statute filed by the Government of Libya;
 - b) To order the notification to the OPCV of the following Annexes attached to the Application under article 19 of the Rome Statute:
 - a. The Report by Prosecutor-General as to scope of investigation of Saif Al-Islam Gaddafi and Libyan Criminal Procedure (Annex C);
 - b. The Provisional Detention Orders relating to Saif Al-Islam Gaddafi (Annex D);
 - c. The Report of Prosecutor-General regarding possible charges under Libyan Criminal Code (Annex I);
 - c) To order the notification to the OPCV of any other document filed confidentially in the record of the case which the Chamber might identify as relevant to article 19 proceedings;
 - d) To order to systematically notify the OPCV with any document submitted by the parties, participants, the Government of Libya and the Security Council related to Admissibility Challenge and which might be classified confidential on the same basis as the other parties and participants in the article 19 proceedings.
3. The Government of Libya wishes to notify the Pre-Trial Chamber that it does not object to the relief requested in the OPCV’s Request.

Respectfully submitted:



Professor Philippe Sands QC

Professor Payam Akhavan

Michelle Butler

Counsel on behalf of the Government of Libya

Dated this 14th day of May 2012

At London, United Kingdom