



Original: English

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

Date: 3 May 2013

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 “Defence Request on behalf of Abdullah Al-Senussi for Access to All Confidential Filings, Decisions and Documents in Case ICC-01/11-01/11 prior to the Appointment of Counsel for Mr. Al-Senussi”

Source: The Government of Libya, represented by:
Professor Ahmed El-Gehani
Professor James Crawford SC
Mr Wayne Jordash
Ms Michelle Butler

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

The Office of the Prosecutor

Ms. Fatou Bensouda, Prosecutor

Counsel for the Defence

Counsel for Mr. Abdullah Al-Senussi:

Mr Ben Emmerson QC

Mr Rodney Dixon

Ms Amal Alamuddin

Mr Anthony Kelly

Professor William Schabas

Counsel for Mr. Saif Al-Islam Gaddafi

Mr John R.W.D Jones QC

Legal Representatives of the Victims

Ms. Paolina Massidda

Ms. Sarah Pellett

Mr. Mohamed Abdou

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

Professor Philippe Sands QC

Professor Payam Akhavan

Ms. Michelle Butler

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Deputy Registrar

Mr. Didier Daniel Preira

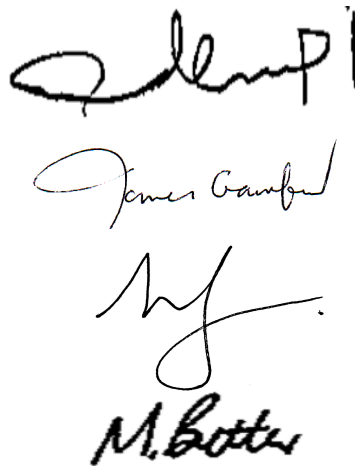
Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section Other**

1. On 26 April 2013, the Defence for Mr. Al-Senussi filed its "Request for Access to All Confidential Filings, Decisions and Documents in Case ICC-01/11-01/11 prior to the Appointment of Counsel for Mr. Al-Senussi" ("Request").¹ In this Request the Defence for Mr. Al-Senussi submitted that the Defence should be urgently granted access to all confidential case materials, including all confidential filings, decisions and documents prior to 9 January 2013. The Government of Libya wishes to notify the Pre-Trial Chamber that it does not object to the Request. The Government notes that such access cannot, as a matter of legal procedure, include access to any materials classified as *confidential and ex parte*.

Respectfully submitted:



Professor Ahmed El-Ghani
 Professor James Crawford SC
 Mr Wayne Jordash
 Ms Michelle Butler
*Libyan ICC Coordinator and
 Counsel on behalf of the Government of Libya
 in the case of Abdullah Al-Senussi*

Dated this 3rd day of May 2013

At London, United Kingdom

¹ ICC-01/11-01/11-322