

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/11-01/11**
Date: **4 February 2016**

PRE-TRIAL CHAMBER I

Before: Judge Joyce Aluoch, Presiding Judge
Judge Cuno Tarfusser
Judge Péter Kovács

SITUATION IN LIBYA

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

Public

Decision on Withdrawal of Counsel

Decision to be notified, in accordance with Regulation 31 of the Regulations of the Court, to:

The Office of the Prosecutor

Fatou Bensouda, Prosecutor

James Stewart, Deputy Prosecutor

Counsel for Saif Al-Islam Gaddafi

John R.W.D. Jones

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States Representative

Others

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Esteban Peralta Losilla

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section Other**

Pre-Trial Chamber I (the “Chamber”) of the International Criminal Court issues this decision on withdrawal of counsel.

1. On 17 April 2013, the Chamber appointed John R.W.D. Jones (“Mr Jones”) as counsel for Saif Al-Islam Gaddafi (“Mr Gaddafi”).¹
2. On 3 February 2016, the Chamber received the “Request by Counsel for the Defence” (the “Request”), in which Mr Jones seeks the Chamber’s leave to withdraw from the representation of Mr Gaddafi.² He submits that “any withdrawal authorised by the Chamber should take effect from the date of the appointment of replacement counsel (...) so as to ensure continuity of representation of Mr Gaddafi”.³
3. The Chamber notes article 67(1)(d) of the Rome Statute (the “Statute”), regulation 23*bis* and 78 of the Regulations of the Court and articles 8, 15(2), 17(2), 18(3) and 19 of the Code of Professional Conduct for counsel (the “Code of Conduct”).
4. The Chamber, noting counsel’s wish to withdraw and the reasons given therefore, hereby grants the Request. The Chamber reminds counsel that he remains subject to articles 8, 15 and 17 to 19 of the Code of Conduct. Having regard to article 67(1)(d) of the Statute, the withdrawal of Mr Jones shall only take effect once a new defence counsel has been designated for Mr Gaddafi.

¹ Pre-Trial Chamber I, Decision on the “Request to Withdraw”, 17 April 2013, ICC-01/11-01/11-311-Conf-Exp; a public redacted version is also available, ICC-01/11-01/11-311-Red.

² ICC-01/11-01/11-619-Conf-Exp.

³ ICC-01/11-01/11-619-Conf-Exp, para. 5.

FOR THESE REASONS, THE CHAMBER HEREBY

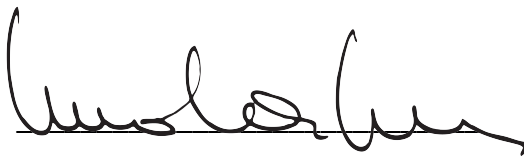
GRANTS the Request; and

ORDERS the Defence to submit a public redacted version of the Request (ICC-01/11-01/11-619-Conf-Exp).

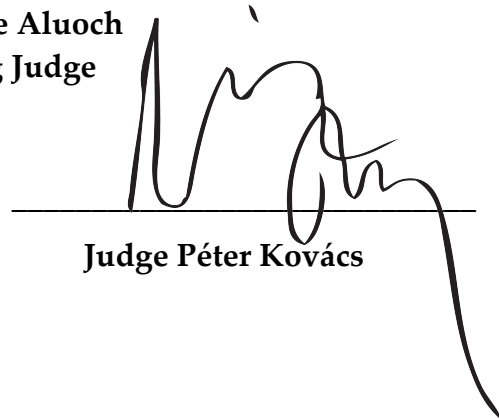
Done in both English and French, the English version being authoritative.

A handwritten signature in black ink, appearing to read 'J. Aluoch', written over a horizontal line.

**Judge Joyce Aluoch
Presiding Judge**

A handwritten signature in black ink, appearing to read 'C. Tarfusser', written over a horizontal line.

Judge Cuno Tarfusser

A handwritten signature in black ink, appearing to read 'P. Kovács', written over a horizontal line.

Judge Péter Kovács

Dated this Thursday, 4 February 2016

At The Hague, The Netherlands