

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11-01/11
Date: 28 October 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

With four confidential annexes and one public annex

**Registry's update on the implementation of the Chamber's Order
ICC-01/11-01/11-627**

Source: Registry

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

The Office of the Prosecutor

Fatou Bensouda

James Stewart, 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

Ahmed El Gehani, representative of
Libya at the International Criminal Court

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. This report is submitted pursuant to rule 176(2) of the Rules of Procedure and Evidence and in furtherance to the “Order to the Registrar with respect to the “Request for an order directing the Registrar to transmit the request for arrest and surrender to Mr al-‘Ajami AL-‘ATIRI, Commander of the *Abu-bakr al-Siddiq* Battalion in Zintan, Libya”¹ (“Order”) issued on 2 June 2016 by Pre-Trial Chamber I.

II. Classification

2. Pursuant to regulation 23bis(1) of the Regulations of the Court, Annexes 1 and 3 to this report are classified confidential as they contain diplomatic correspondences between the representative of Libya at the International Criminal Court (“Representative of Libya”) and the Court. Annex 4 is classified confidential as it reflects discussions between a staff member of the Registry and the Representative of Libya and possible avenues for cooperation for consideration by the Chamber. Annex 5 is classified confidential as the Registry was unable to reach the Representative of Libya to verify the level of classification to be applied.

III. Submissions

3. The Registry notified the Order as well as other relevant documents to the Representative of Libya on 16 June 2016. The Representative of Libya has a mandate of representation both from the Government of National Accord and from the Libyan House of Representatives.
4. Since then, the Registry has been in constant liaison with him in order to follow-up on the execution of the request. On 16 August 2016, a reminder of

¹ ICC-01/11-01/11-627

the notification dated 16 June 2016 was transmitted. The Registry's efforts were also supported by the Office of the Prosecutor.

5. On 4 October 2016, the Representative of Libya transmitted a reply from Libya's Attorney General's Office dated 29 September 2016.
6. The Registry hereby seeks guidance from the Chamber on the further course of action to be taken to communicate with the relevant Libyan authorities.

The Registry hereby transmits:

- Annex 1: Registry's notification of the Order as well as other relevant documents to the Representative of Libya dated 16 June 2016;
- Annex 2: Representative of Libya's mandates of representation and related translations;
- Annex 3: Reminder of notification of the Order, dated 16 August 2016;
- Annex 4: Summary of the discussions held with the Representative of Libya; and
- Annex 5: Reply from Libya's Attorney General's Office dated 29 September 2016.

pp. *P. Craig*.

Marc Dubuisson, Director of the Division of Judicial Services
on behalf of
Herman von Hebel, Registrar

Dated this 28 October 2016

At The Hague, the Netherlands