

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **13 July 2018**

PRE-TRIAL CHAMBER I

Before: Judge Péter Kovács, Presiding Judge
Judge Marc Perrin de Brichambaut
Judge Reine Alapini-Gansou

SITUATION IN LIBYA

IN THE CASE OF

THE PROSECUTOR V. SAIF AL-ISLAM GADDAFI

Public

**Lead Counsel's Request Pursuant to Regulation 78(1) of the Regulations of the
Court**

Source: Defence for Dr. Saif Al-Islam Gaddafi

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

The Office of the Prosecutor

Ms. Fatou Bensouda

Mr. Julian Nicholls

Counsel for Dr. Saif Al Islam Gadafi

Mr. Karim A. A. Khan QC

Dato' Shyamala Alagendra

Mr. Essa Faal

Mr. Aidan Ellis

Mr. Khaled Al Zaidy (Libyan National Counsel)

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms. Paolina Massidda

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr. Peter Lewis

Counsel Support Section

Dr. Esteban Peralta Losilla

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. Pursuant to Regulation 78(1) of the Regulations of the Court, Lead Counsel for Dr. Saif Al-Islam Gadafi ("Dr. Gadafi") before the International Criminal Court (ICC) respectfully requests the authorisation of the Pre-Trial Chamber to withdraw from his representation of Dr. Gadafi in case ICC-01/11-01/11.
2. Lead Counsel submits this request to withdraw as counsel further to his appointment, on 31 May 2018, as the United Nations Special Advisor and Head of the Investigative Team established pursuant to Security Council Resolution 2379 (2017). The nature of and responsibilities arising from this new mandate will result in Lead Counsel being unavailable to continue to represent Dr. Gadafi in the present case.
3. Lead Counsel respectfully advises the Chamber that further to instructions received from the client, and discussions between Lead Counsel and the Counsel Support Section (CSS), if the Chamber is minded to grant this withdrawal request Dato' Shyamala Alagendra – currently an Associate Counsel for Dr. Gadafi – may then be appointed as Lead Counsel for Dr. Gadafi in case ICC-01/11-01/11. This proposed change in the composition of Dr. Gadafi's legal team will ensure continuity in Dr. Gadafi's legal representation before the Court and will not cause any delays in the ongoing admissibility proceedings before the Chamber.
4. In the event this withdrawal request is granted, Lead Counsel further confirms that he shall fully comply with his obligations under the Code of Professional Conduct for counsel.

Respectfully Submitted,



Mr. Karim A. A. Khan QC
Lead Counsel for Dr. Saif Al-Islam Gadafi

Dated this 13th Day of July 2018
At The Hague, the Netherlands