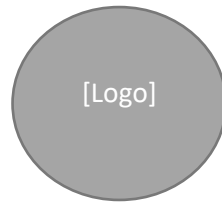


Confidential

Annex

Ministry of Foreign Affairs and
International Cooperation
Embassy of Libya
The Hague, The Netherlands



Ministry of Foreign Affairs and
International Cooperation
Embassy of Libya
The Hague, The Netherlands

Date: / /20

Ref: 367-1-3

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Note Verbale

The Embassy of Libya presents its best regards to the Registry of the International Criminal Court; and is honoured to refer to the Registry's note number REG-JSCC-2026-077, dated 06 May 2026 related to the invitation extended to the State of Libya to submit observations in relation to the jurisdictional challenge raised by the Defence team of Mr. Khaled Mohamed El Hishri, a Libyan national.

Accordingly, the Embassy is commissioned to transmit the following observations:

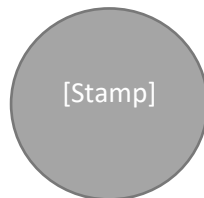
1. Under the laws and legislations in force in the State of Libya, the Cabinet has the authority to make a declaration pursuant to article 12 (3) of the Rome Statute; and it is also competent to authorise a representative of the State to present such a declaration. Besides, no official objection has been issued to date by the Presidential Council; and no judicial orders to the contrary have been issued by the constitutional judiciary competent to consider matters of sovereignty.
2. In accordance with the Libyan embassies' inherent mandate to represent the State of Libya abroad and to transmit correspondence and official documents on behalf of the competent authorities, the Embassy has been previously commissioned to transmit a number of documents issued by the Chairman of the Presidential Council, the Prime Minister and the Office of the Attorney General as follows:
 - **The authorization** issued by the Prime Minister Mr Abdul Hamid Dbeibeh to the Embassy to submit a declaration to the Court on behalf of the State of Libya in accordance with article 12 (3) of the Rome Statute; which was submitted on 12 May 2025.
 - **The assignment** made by the Chairman of the Presidential Council Mr Mohamed Al-Menfi, to the Embassy to transmit clarifications in relation to the Prosecutor's briefing to the United Nations Security Council on 15 May 2025.

- **The assignment** to the Embassy, issued by the Ministry of Foreign Affairs and International Cooperation, to transmit a letter from the Attorney General's Office addressed to the Deputy Prosecutor of the International Criminal Court in relation to the request for judicial cooperation; this transmission took place on 21 November 2025.
- **The assignment** to the Embassy, by the Prime Minister Mr Abdul Hamid Dbeibeh, to transmit his letter to the Registrar of the Court; this transmission took place on 22 May 2026.

The Embassy takes note of the brief delivered by the Permanent Representative of Libya to the United Nations Mr Al Taher El-Sonni, before the United Nations Security Council on 22 May 2026, in which he reiterated, on behalf of the Prime Minister, Libya's commitment to close cooperation pursuant to article 12 (3) of the Rome Statute, the expansion of investigative competencies and the extension of the Court's jurisdiction until the end of 2027, in a manner that does not impose any financial obligations on the State of Libya with regard to compensation.

The Embassy of Libya in the Netherlands takes this opportunity to renew its utmost respect and appreciation to the Registry of the Court.

[Signature]



To/ The Registry of the International Criminal Court/ The Hague

03 June 2026