



Original: **English**

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

Date: **18 March 2015**

PRE-TRIAL CHAMBER I

Before: Judge Joyce Aluoch
Judge Cuno Tarfusser
Judge Péter Kovács

SITUATION IN LIBYA

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

**Public
With Confidential annexes**

**Registrar's Report on the referral to the United Nations Security Council and the
notification of the Decision on the non-compliance by Libya with requests for
cooperation**

Source: the Registrar

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 James Stewart

Counsel for Saif Al-Islam Gaddafi:

Mr John R.W.D. Jones QC

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

Counsel for Libya

Mr Ahmed El-Ghani

Mr Philippe Sands QC

Mr Payam Akhavan

Ms Michelle Butler

Competent authorities for Libya

Others

Bureau of the Assembly of States Parties

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Detention Section

Victims and Witnesses Unit

Others

**Victims Participation and Reparations
Section**

Presidency

The Registrar of the International Criminal Court (“the Court”):

NOTING the *“Decision on the non-compliance by Libya with requests for cooperation by the Court and referring the matter to the United Nations Security Council”* rendered by the Pre-Trial Chamber I on 10 December 2014 (“The Decision”);¹

NOTING that that the Decision found that Libya has failed to comply with requests by the Court to surrender Saif Al-Islam Gaddafi to the Court and to return to his Defence the originals of the documents that were seized in Zintan by the Libyan authorities from his former Defence counsel and destroy any copies thereof;

CONSIDERING that the Pre-Trial Chamber I decided that the matter of Libya’s non-compliance with these requests for cooperation by the Court be referred through the Presidency in accordance with regulations 109(4) of the Regulations of the Court, to the United Nations Security Council;

CONSIDERING Article 87(7) of the Rome Statute, Regulation 109(4) of the Regulations of the Court and Article 17(3) of the Relationship Agreement between the International Criminal Court and the United Nations;

REPORTS AS FOLLOWS:

- 1- On 17 December 2014, the Registry conveyed to the designated Focal point at the United Nations the letter from the President of the Court to the Secretary-General of the United Nations, the Decision dated 15 December 2014 as well as the French translation of the Decision.

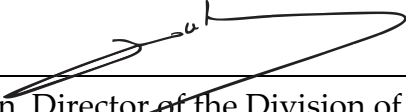
¹ ICC-01/11-01/11-577

- 2- The Decision was also notified to the Director of the Secretariat of the Assembly of States Parties by email sent on 12 December 2014, while the translation into French was transmitted to him on 18 December 2014.
- 3- Finally, the Registry notified the English and Arabic versions of the Decision to the Focal point of Libya for the Court on 2 March 2015. The legal representatives of Libya were notified on 10 December 2014.
- 4- The present filing is classified public in line with the Decision. The annexes are classified confidential as they contain names and contact details of United Nations and States' representatives and staff members of the Court.

TRANSMITS in annexes:

- The letter of the President of the Court to the Secretary-General of the United Nations dated 12 December 2014, together with the signed memoranda of notification (Annex 1- Confidential);
- The emails dated 12 and 18 December 2014 transmitting the decision respectively in English and in French to the Director of the Assembly of States Parties (Annex 2- Confidential);
- The Note verbale dated 2 March 2015 transmitting the Arabic and English versions of the Decision to the focal point of Libya (Annex 3- Confidential).

RESPECTFULLY SUBMITTED,



 Marc Dubuisson, Director of the Division of Court Services
 On behalf of
 Herman Von Hebel, Registrar

Dated this 18 March 2015

At The Hague, the Netherlands