

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



Original: English

No.: ICC-01/11-01/11  
Date: 8 November 2019

**THE APPEALS CHAMBER**

**Before:** Judge Chile Eboe-Osuji, Presiding Judge  
Judge Howard Morrison  
Judge Piotr Hofmański  
Judge Luz del Carmen Ibáñez Carranza  
Judge Solomy Balungi Bossa

**SITUATION IN LIBYA**

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

**Confidential**

**Transmission of the written observations submitted by the State of Libya**

**Source: Registry**

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

**The Office of the Prosecutor**

Ms Fatou Bensouda, Prosecutor

Ms Helen Brady

**Counsel for the Defence**

Mr Essa Faal

Mr Aidan Ellis

**Legal Representatives of the Victims**

Ms. Paolina Massidda

**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**

The State of Libya

**Amicus Curiae**

**REGISTRY**

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**Registrar**

M. Peter Lewis

**Counsel Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

## **I. Introduction**

The Registry hereby transmits to the Appeals Chamber (“Chamber”) in accordance with rule 13 (1) of the Rules of Procedure and Evidence the written observations submitted by the Libyan authorities in reply to the “Order scheduling a hearing before the Appeals Chamber and inviting participation in judicial proceedings” (“Order”).<sup>1</sup>

## **II. Procedural History**

1. On 24 September 2019, the Chamber in its Order invited the State of Libya to submit observations, on issues arising from the appeal of Mr Saif Al-Islam Gaddafi against the ‘Decision on the “Admissibility Challenge by Dr. Saif Al-Islam Gaddafi pursuant to Articles 17(1)(c), 19 and 20(3) of the Rome Statute”’<sup>2</sup> by 16h00 on 24 October 2019.
2. On 23 October 2019, the Registry received the request for extension for submission of observations from the State of Libya in relation to the Order, and transmitted it to the Chamber that day. Also that day, the Chamber in its “Decision on the ‘Request for extension for submission of observations from the State of Libya in relation to the Appeals Chamber’s Order ICC-01/11-01/11-672’”, granted the requested extension of time by 16h00 on 7 November 2019.
3. On 7 November 2019, the Registry received 13 documents from the representative of the State of Libya to be transmitted to the Chamber.

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<sup>1</sup> Appeals Chamber, “Order scheduling a hearing before the Appeals Chamber and inviting participation in judicial proceedings”, 24 September 2019, ICC-01/11-01/11-672.

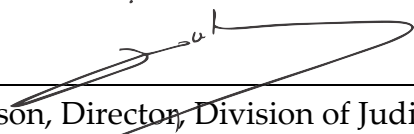
<sup>2</sup> Defence, “Defence Appeal Brief in support of its appeal against Pre-Trial Chamber I’s “Decision on the ‘Admissibility Challenge by Dr. Saif Al-Islam Gadafi pursuant to Articles 17(1)(c), 19 and 20(3) of the Rome Statute’”, 20 May 2019, ICC-01/11-01/11-669.

### III. Classification

4. In accordance with regulation 23 *bis*(1) of the Regulations of the Court, the present submission is classified as confidential as requested by the authorities of the State of Libya.

### IV. Transmission

5. The Registry hereby transmits, as Annexes I to XIII, the written observations submitted by the representative of the State of Libya on 7 November 2019.



Marc Dubuisson, Director, Division of Judicial Services  
on behalf of  
Peter Lewis, Registrar

Dated this 8 November 2019

At The Hague, The Netherlands