

## **Annex II**

**Confidential**

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

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

**8 November 2019**

## مكتب النائب العام

Documents attachment No (2)

ورقة جلسة رابعة ١٤٥٥

المحكمة

باسم الله الرحمن الرحيم

بعد البتدع على الأوراق وسماع طرافعة ولجاوله

وعلى المواد 210 - 211 - 224 - 277/2 - 287 - 293/2

312/1 - 315 - 345 من قانون الاجراءات الجنائية

والمواد 219 - 28 - 29 - 34 - 39 - 59 - 60 - 76/2 - 100

101 - 169 - 202 - 203 - 205 - 211 - 407 - 428

450 - من قانون العقوبات

والمواد 1 - 2 - 34/1 - 35/1 من قانون رقم 7 لسنة 1990

بتأن المخدرات والمؤثرات العقلية (لمعدل بالقانون رقم 19 لسنة 1996

والمواد 1 - 2 - 4 - 5 من القانون رقم 19 لسنة 2010 بتأن كملانحة

الصحة غير الشرعية، والمواد 9 - 27 - 35 من القانون رقم 2

لسنة 1979 بتأن الجرائم الاقتصادية (لمعدل بالقانون رقم 14 لسنة 2001

والمواد 166 - 167 - 224 - 225 من القانون المدني

حكمت المحكمة فيما يلي للمتهمين الأول والثالث والعشرون والثلاثون

والخامس والثلاثون والسادس والثلاثون والسابع والثلاثون

ومصنوعاً بالبقية المتهمين

لأن: بإدانة المتهمين الأول حنيف الإسلام معمر القذافي والثاني عبد الله

محمد السنوسي، والثالث البغدادي على المحمدي، والرابع منصور

ضوايراهيم، والخامس أبو زيد عمر محمد روردة، والسادس بلال

سالم دمان، والسابع منذر مختار الغنيمي، والخامس عشر

عبد الحميد عمار احميد، والواحد والثلاثون لوتيات خندور النوي

أبو صوفة عما أسند اليهم ومعاقتهم جميعاً بالاعدام تعزيراً

رئياً بالرصاصة



- These facts had been recorded against them as felonies under articles (202,203,205, and article 407 item (1) , 428 item (1,2) paragraph B,C, and 450/1,3,4,217,59,61,76,77,100,101 of the penal code , and article (1) and (7) of law No.(6) of (1423) concerning punishment and blood money amended by Law No.(7) of 1430 , and article (1,2,3,4) paragraph (1) item (1) , article 25/1 item (1) in Law No.(7) of 1990 concerning drugs and psychotropic substances amended by Law No.(19) of 1425 and by article (1,2,4,5,9) of Law No.(19) of 2010 concerning illegal immigration control , and articles (9) and (27) of law No.(2) of 1979 concerning economic crimes amended by article (1) of Law No.(4) of 1369 – 2001
- They were brought to the pre-trial chamber in south Tripoli court , to refer them to the criminal court to try them in accordance to the record and description in the indictment , having heard the case in the manner recorded in the minutes issued in the session held on 19 THELHAGA 1424 corresponding to 24.10.2017 , it's decision to refer the culprits to the criminal court , to the criminal court , to be tried in accordance to the description made in the indictment , and the attached evidence.

### The court

Having reviewed the papers , and heard the pleadings , and reviewed articles 210-211-224-277/-2 -287 -293/2 312/1-215-345 of criminal procedure code , and articles 19-21-28-29-34-39-59-60-76/1-2-100-101-169-202-203-205-211-407-428-450- of the penal code , and articles 1-2-34/1 item 1- 35/1 item 1 of Law No.7 of 1990 concerning drugs and psychotropic substances amended by Law No 19 of 1996 , and article 1-2-4-5 of law No 19 of 2010 concerning illegal immigration contract and article 9-27-35 of Law No.2 of 1979 concerning economic crimes amended by law No. 14 of 2001 , and articles 166-167-224-225- of the civil law,

The court decided in absentia with regard to the 1<sup>st</sup> , 23<sup>th</sup> , 30<sup>th</sup> , 35<sup>th</sup> , 36<sup>th</sup> , and 37<sup>th</sup> , and in presence with respect to the remaining culprits

**First :** Pronounce as guilty the first culprit Saif Alislam Mummar AlGadafi , the second culprit Abdallah Mohamed Al sanousi , the third culprit the AlBagdadi Ali Al Mahmoudi , the fourth culprit Mansour Daw Ibrahim , the fifeth culprit Midad Salem Daman , the tenth culprit Munzer Mukhtar Gunemi , the fifeteenth Abdulhameed Amar Ohida , and the thirty-oneth Awaidat Ghamdor Nabi Abosoufa , for their alleged conduct , and sentence all of them to death by being shot down.

