ICC-01/11-01/11-683-AnxI 23-09-2020 1/20 EC PT OA8

— ICC-01/11-01/11-683-Conf-AnxI 08-11-2019 1/20 EK PT OA8

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Annex I

Confidential

Transmission of the written observations submitted by the State of Libya

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

ICC-01/11-01/11-683-AnxI 23-09-2020 2/20 EC PT OA8

— ICC-01/11-01/11-683-Conf-AnxI 08-11-2019 2/20 EK PT OA

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مكتب النائب العام

Documents attachment No (1)

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for legal Translation Istanboul St. Tripoli - Libya § 0910259387



مكتب الثقة للترجمة القانونية شارع اسطنبول - طرابلس - تيبيا شارع 259387

State of Libya

Ministry of justice

Tripoli civil court of appeal

Criminal circuit No. 14

In the public session 02 12 shuwal 1436, corresponding to 28.07.2015, at the court house of Tripoli court of appeal, presented by judge Nagi Mohamed Al Amin, and membership of judges, Abdulgader Awad, Musbah Badi, and in the presence of Alsadeg Ahmed Alsur, deputy attorney general, and Mr. Ahmed Rammadan.

Issued the following judgment

On the offenses entered in the general registrar under No. 630/2012 for 2012.

And in the records under No. 525/2012.

Submitted by:

- 1- The public prosecutor in the office of the attorney general .
- 2- Civil right plaintiff Mohamed Ali Gadeh, reading in Musrata
- 3- Civil right plaintiff Salah Mohamed Mukhtar, reading in Tripoli
- 4- Civil right plaintiff Mohamed Abdulgasem Abdullah Tripoli.

Against

 Saif Al Islam Muammar Al Gathafi , Maternal son of Safiah AlHadad , D.O.B 1972 , Resident of Tripoli.



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مكتب الثقة للترجمة القانونية شارع اسطنبول - طرابلس - نيبيا شارع 259387

The court

Indictment

Having reviewed the papers , heard the pleadings , and whereas the prosecution had notified the accrued, as they were present , since 15.02.2011 , inside Libya .

All the culprit, from the first to the thirty four culprit had committed in the territory of the state conducts designed to inflict destruction, plundering, and arbitrarily billing people, in lending to infringe the safety of the state, where the first, second, third, fourth, eighth, tenth, the eleventh, the eighteenth, the thirty one, and thirty two, culprit had provided financial support, and the first, the second, the fourth, the fiftieth, the sixth, the twelfth, the fifteenth, and the thirty fourth, culprit had distributed drugs and psychotropic substances between the Katayeb troops and volunteers.



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مكتب الثقة المترجمة القانونية المارع اسطنبول - طرابلس - ليبيا المارع الماليول - طرابلس - ليبيا المارع الماليول - طرابلس - ليبيا

 The first and second culprit ordered one military engineers squad to blow up the poster plant in the Sedra oil field of the Arab Gulf oil company, and kill the guards

The 1st, 2nd, 3rd, 4th, 5th, 6th, culprit held many meetings in which they decided to crush and kill the demonstrator in Tripoli, prevent them from reaching the green square by any means, and the formation of armed groups to attack rebel towns. the 12th culprit allocated customs vehicles to military battalions, and to security committees and people's guards.

The 1^{st} . 2^{nd} and 3^{rd} culprit formed cells designed to commit acts of murder , blowing up , and to sow divisions in the eastern region , which had rised against the regime , and which was conducted by the third accused.

All such acts are committed with the intend to murdering, plundering and inflicting destruction against the Libyan people, as described on the papers in detail.

The first , third , and the fifth culprit prepared the information maternal that provoked discord and murder , and transmitted such maternal across Libyan TV channels , through others , including Yousif Shakeer , Hamza AlTouhami Abo Khanger , Halah Al Misrati , and Mustafa Gaderbouh , while the third culprit provided the required financial means to those who presented these programs .

The first culprit addressed the people though the Libyan TV channel , in acting discord and civil war , and he called by telephone the commander of Taurgha operations , coloel Ali Emhemed Maatoug Zubaidi , and incited him to attack and kill the inhabitant of Misurata . for this he said (this is your chance) . the people of Misurata look down on you , they regard you as slaves for years , you are subordinate to them depriving you to every things , this is your chance to revenge , and take your right that were usurped by the people of Misurata.

The first , the second and the fourth culprit

1- Participated by way of provocation, agreement and assistance to commit murder, where they agreed to prepare groups of revolutionaries (yellow berettes), and AlFadeel Abo Omar, Tareg and Fares security battalions, both internal and external security personnel, the police, the revolutionary guards, and the security formations, providing them with arms and ammunition to suppress the demonstration in various locations in Benghazi, such as Geser Galeyana, Jamal Abdulnaser Street, Sidi Hussien, and the Fadeel Abu Omar Battalions, then they ordered them



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to open fire at the demonstrators to kill them. This resulted in injuries to the victims named in the attached list, which included (107) names, starting with Nagi Jumaa Alkoafi , and ending with Saleh Muftah Oraybi , who died of their injuries as shown by the attached corpse autopsy report , considering that the crimes had been committed through incitement , agreement and assistance, as shown on the papers in details.

- 2- They participated by way of incitement, agreement and assistance in intentionally murdering people, by mobilizing groups from Tarhouna, Beni Waleed , Serte and other places in Tripoli , notably from AbuSaleem area, beside groups from the regime's battalions and bodies, equipped them with various kinds of arms and ammunition , ordered them to spread inside Tripoli city, and to kill every opponent of the first accused. they killed many victims, including those whose names are listed in the attached sheet which contained (ISS) names, beginning with Mahmoud Ali Alsameen , and ending with Seraj eddin Ali Mohamed Murad , in many location in Tripoli at Martar road , highway roads , Gharghor , and Bab AlAziziya, after been shot by orders from and first culprit, at his sight and hearing, considering such crime had been committed through incitement, agreement and assistance, as shown on the papers in details.
- 3- They attempted to commit murder through incitement, agreement and assistance, by preparing groups, as mentioned above, equipped them with arms and ammunition, and ordered them to open fire on the demonstrators in various locations in Benghazi, as aforesaid, with the intention to kill, resulting in injuries to the victims Khalid Awad Saleh Alsheikhi , Omar Mansour Omar Warfali , Mutah Saleh Humaidan , Sameer Salem Almuslatti , Mohamed Mohamed Assofi , Abdallah Alsreem Augaili , Fathi Ashuaib Obaidi , Hamza Muftah Zulietni , Abdu Muez Saed Oraibe, Jamal Heba Oraibi, they failed due reasons out of their control, I e. bad aiming, and quick first aid and medical treatment, as described in the attached forensic, and medical reports, and as shown with details on the papers.
- The first , the second , the third , the fourth , the fifth , the sixth , the seventh and the fourteenth culprit:
 - 1- participated by way of incitement , agreement , and assistance in committing murder by collaborating to kill demonstrators from Tripoli city and the surroundings area , who were at the green square . and those who were heading to it, and by equipping them with arms and ammunition, ordering them to open fire on them with the intention to kill, and to prevent them from reaching the square and to stop the demonstrations.

this action resulted in injuries to the victims whose names are listed in the attached sheet, starting with the name of Saleh Khalifa Hadi, and ending with Farag Abdul Aziz Abdullah as shown in the attached corpse autopsy



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مكتب الثقة للترجمة القانونية شارع اسطنبول - طرابلس - ليبيا 20910259387

report, which resulted in their death, considering that the crime had been committed under incitement, collaboration and assistance as per described in the papers.

- The first, the second, the third, the fifeth, the tenth, the twenty oneth culprit:
 - 1- Brought illegal immigrants to the country from the surrounding African countries and others who were residents in the country, assembling them in various locations, such as Sidi Belad, then they put them on fishing boats that sailed in the directions of Europe, considering that the 2nd, 3rd, 5th, 10th and the 21th culprits were assigned to guards and control the crossing ports and borders, considering, also, that such acts, resulted in deaths, as shown in the attached corpse autopsy report, where the committed various crimes as shown in the papers with details.
 - 2- Participated by way of incitement, agreement and assistance to commit murder, by collaborating to smuggle illegal African immigrants out of the country in unsafe and unseaworthy fishing, overloading it with immigrant in their way to Europe and resulting in drowning and the death of tens of African people, as an expected outcome, as shown in the attached corpse autopsy reports.
- The 1st, 2nd, 3rd, 4th, 5th, seventh, 12th, 14th, 15th and the 34th culprit:
 - 1- Brought and distributed drugs and psychotropic substance , and arrange to put it in the foods and drinks of their troops during their assault on demonstration and towns who rose against the regime, such material were seized from the arrested and injured and in the clothes of the killed troops , and in their deserted posts.
 - The examination of the seized material revealed that it was listed in item (12) of table No.(1) , item (9) of table No.(2) for psychotropic substance , and item No.(109) of table No.(2) all of which are included in drugs and psychotropic substance , in addiction to (DF-118) drugs , which the $3^{\rm rd}$ culprit admitted that the $2^{\rm nd}$ culprit imported it from one of the near European countries , with amount estimated between two and four million Dinars . the $12^{\rm th}$ culprit arranged for it's entry through a sea inlet. The $2^{\rm nd}$ culprit admitted to distributing it , as established by attached expert reports and issuance notes from the medical supply organization , considering that the crime was committed in the times of war , and inflicted damage , as per described in detail on the submitted papers .
 - 2- Possessed drugs and psychotropic substance , which were under their control and work places , in great amounts . examination of the seized material revealed that it's listed under item (12) of table No.(1) , item (9) of table No.(2) for psychotropic substance , and item (109) of table (2) , which are all included in drugs and psychotropic



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مكتب الثقة المرجمة القانونية المرع اسطنبول - طرابلس - ليبيا 10910259387

substance law in addition to (DF-118) drugs , which the 2^{nd} culprit admitted of its possession , as established by experts reports and issuance notes from the medical supply organization , considering that the crime was committed during the time of war , and which inflicted damage a per specified in the papers.

The 1st, 2nd, 3rd, 4th, 5th, 6th culprit:

Collaborated by way of incitement , agreement to rape others by force and intimidation , they agreed to use rape as a method to surpass the revolution during the 17^{th} of February events , and incited their troops to commit it.

They raped the men and women whose names are listed on the papers, and other unknown demonstrators and imprisoned dissidents, or inside their homes which they had entered by force and under the threat of arms. such conduct was repeatedly performed many times and during different times, in execution of the same criminal motive, as established by the forensic and medical reports, and as described I detail on the papers.

The 1st, 3rd and 4th culprit:

Collaborating by way of incitement and accord to seized moveable's owned by others through coercion, where they collaborated to seized foodstuff and household appliances from local companies owned by individuals and foreign companies , then selling it to obtain cash money. They ordered their armed groups to do likewise .

They entered carrying arms to offices and warehouses of the MUHAIT electric and household appliance company, and robbed the moveable's indicated in quantity, quality and value on the submissions and which was owned by the victims Khalid Mohamed AlGatalawi. Also, the entered Med. Company for importation of transport means, workshop and plant equipment and occupational safety means, where they took off the vehicles indicated by quantity and value on the papers, and which was owned by Mohamed Ali Ramadan Gadeh, after they assaulted and detained the company employees, noting that the robbery had been conducted by using force and violence, the culprits were carrying at the time – visible weapons, this act was conducted by more than three persons, and was repeated many and different times for the same criminal motive, as indicated in detail on the papers.

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The 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 9th, 10th and 23th culprit

Collaborated by way of incitement and agreement to detain and imprison people by force and under threats, where they collaborated to detain thousands of opponents, or people belonging to the rebel towns, ordering their troops to do so, resulting in depriving thousands of Libyans from their liberty of whom many were named in the investigations of the attorney general office, and in the attached sheets, letters and evidence collection minutes made by the investigation committees, such acts were committed against those who were righty or falsely culprit of opposing the regime, and who were imprisoned without trial. The culprits refused to execute the decision made by the investigation committees to release hundreds of them for lack of evidence against them, considering that the act had been committed - for all culprits save the first one - by a public official trespassing his functional powers, and that the act had been repeated at many and different times, for the same criminal motive, as shown in detail in the papers.

The 1st , 2nd , 3rd , 4th , 8th , 11th , 15th , 18th , 20th , 31th 35th , 36th , 37th and 38th

~, culprit.

Inflicted international damage by conducting financial transaction in violation of the procedure adopted by the state financial system, in terms of absence of detailed invoices from the importing companies, and in the absence of contract, in violation of administrative contracts regulation exchange control law, the regulations of accounts, budget and stores, and the applicable budget law, resulting in serious damage to the public finance, the values of which are estimated, against each one of them, in the attached financial expert report and papers.



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(1) 3 ي كونوم بنا ريم 12/12/1102 وما يعده في التولية التوقالع ويقالنا بعد لكان واعدمن وزوده والنثالث والموالووالسابع والثامث والنتا ضاعوا لنثاف عنذ أنواء الأساءة والعتاد ودعمواله والنامى والسادس مشرفطط لتعص دالوالواللازمة للنافي تاط الألفام العنورة دولسا لم الأول، والثام والنا لث والواعد والفشرون باستغيام العاظمات والنروراف البعرية المدنسة ف تلفيم الموانث البعرية ومهاجمة والمعارة والعدارة

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E عرسائل وغفابات وعورمة غه على العتار الماس والنائ عشر فالخامس عشروالوالي والاستبالا بعام مستلكات والوافئين من النا أرب على النفام للمدارق في العسنوا في اللذب الخذ تنارت على النظام واستضافوا ق و قتل المنقط هريك عنه علم الملس ومنع وعولهم المحد الساعة الحفار سابقا بأي والمتعويمل القافي عنز على عرف مركبات تابعة للمارك الى لقائب عسكرية ركبان امنية والحرس لنقم ووالنا اشتفلاط للتتل والتنجيرات وبيث الفننة في العنمقة النظام يؤلم النظالت لم والاستمار والغتل والنصري والنخريب اعتداء على سلامة ابناء الشور اللبور مطبعة العدل

6 avillyde al of anyle 1) as 11 stale المتي نظاؤنا تنبوه ووعمه الأول فنابا متعار النفائلات معارة المساحة لقنال و ساسي ويه قا منه الرعتنال على سالمه الدولية وإغارة إعدا الوائدة والعصالة

النادكره وزودوها بالسابع والنفيره عرام وهم بإطلاف المتفاهرين فراماكن متفرقة من مدينة بنغازي على النوالسالف عدنتج من دلك عابة المعنى عليهم خالر عوض عالي الشعنى وعرضور الوا

مطبعة العدل

CC-01/11-01/11-683-AnxI 23-09-2020 16/20 EC PT OA8 — ICC-01/11-01/11-683-Conf-AnxI-0

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6 D للما الله وقا ما أن زودو تا يعين بالأسل م وللفرق وأور و ماطا لهناه وجولهم ووقف الفاحرات وقد منتبع عن وللم إعا الكينا في الموقد والمراج) فوالماء تريس أ ما يستروا لع غل م فرا لعرب العرب العالمات المستقدة المعرب المعند ورات ويخرا أوسيالي وماتهم طالة كون الجريعة قد وتعت بنياما الإنقاف موالها عادة وعلى المور المبدئ بالاولاق لم مى العلاد مثر أ فرجوهم منها بأ ن عملوا على فيا فرينت وغيرهم ما المتواجدين بالتلاد وقاموا ينتهيعه إ فراع مما عرب فير مشرعين من جنسيات أفريقي في لللا وعهروا واكب عبد الانتوفر فيها فشروط والأمن والمنافة ولإعلاقة لها مثل الركاب وعملوها والمسارة من الماجر من أيها بريد عان همو النها التبطر موا و روبا مما النج عنه عرف الراكف

 \mathfrak{D} ومتنل العشوات من الأما وقط فرفا كلتيعة منوفقة ارتعوها وعلى النواطيين بتقارير العثة ضرة ومؤشرات عقلية ودلك مأن وفروها ووزعوها وعملو رب العناصر التا بعث له منترة اعتداتها على المنعنا الرين ن الانظرين على النظام وم طبط الندوا لوا د لوعد المراح وعرف ولما بس أماكن فشركزها بعدمفاء رتهم لها ويالكشف عاءدا لمفتوط معنها مالين (12) من الجنول رفي (1) والنين (9) من الجدول رفي (2) ات العقلية والمدين (109) من الجدول و (2) العامة خاصيعها بعامون غافظ إلى المتعدد (BIL - D) الناراً في النّا لِين يَوْلِي النّاف غافظ إلى التعدر (فالإسكر) الزور أخر الشافري ن الحريعة الرتكات عن زين الحرب وترتب عليها وقوي الغروعات ما لا تغاف على مواقعة اغرين بالنوة والهمديد ودلك مأن مطبعة العدل

ا في التا يعظ لهم لذلك في غلوا مسلم من إلى م النايعة النقم لذلك ممانتي عنه عو عرية ال عاء العديد منهم بتحقيقات النيالة العامة وكنسرناك رمكانات ومعافرا لاستدلال التانط حما لحان العقدة المشكلة والمرفق بالزورات من الفي عنيقة أوروراباله العاا أعلاها

CC-01/11-01/11-683-AnxI 23-09-2020 19/20 EC PT OA8 <u>ICC-01/11-01/11-683-Conf-AnxI-0</u>20 Cursuant to the Appeals Chamber's Order ICC-01/11-01/11-699, dated 23 September 2020, this document is reclassified as "Public."

(1) ه محمد و المتحدث عدد الزوال قدو وقع موقف عموم متعديا في الله العموده وطي الموالين تنامات الروراة السابع والثلاثون الثامن والثلاثون وا لمت والملم اندة والخائرت وكانون الممنز المية السارى معارت في كما وجمع السابو بالحردان في ط عالقاتون الأول والخامس منزيكان مؤيت الإتناق على لإهانة العلنية للشعب العرى اللبيبي بأن اتفت على دلاي مع كأرمن (يوسف شأكّ

مطبعة العدل

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(10)	
	معضى قادربوه، وغيرهما) فوجهوالك، أبناء الشعب الليب العديد من العبارات النابية
	والمه هينة عبرالفنوات النفائية رملى النوالبين تغميلاً بالأوران.
	مد الهتهمون جميعاً عدا الخامس والتلائون والسادس والتلاثون والسابع والتلاثون والتامن
-	والثلاثون؛
	منعود الفيرين معارسة مق سياسم عُلْيامًا لعن من والتقديد وعلى النوالميين بالدُّورات ،
	و قيدت هذه الوقا تع منه منايضا لواد (202 و203 و205 و 4 بندا) و428 بندان
Belley	ب ي و و ١٥٤ / ١٥٤ م و و و و و و و و و و و و و و و و و و
-	وبالمواد (او 7) من القانون رقم 6 لسنة 1423 ميلاديده بشأ ن اعكام العقام
7	والديدة العقدال القانون و في السنة و ١٤١٤ ميلاديم و المواد (اوعو ١٩٤٤ فيرو
	(١) بند ١١) و ١٤٤ إيند (١) من المتا دون رقم 4 لسنة ١٩٩٥ بيشأن المخدرات
	ولاؤنترات العظيمة العُفرك بالنا دون رَقَ ١٩ لسنة ١٤٤٥ ميلاديه
	وبالوادلاوع و ١٠ وي وي من القانون رقم ١٩ لدة ١٥ ووم في شأن مكافعة الهجرة غير العثرقيد
	وطِلادتين (٩ و ٢٤) من التانون رض علسنة ١٩٦٩م يُ سَنَّانَ الْجُرامُ الافتقاديد المعدل الملادة
	(١) ن القانون لا لين م 1364 ورسي 1364 ورسي (١)
	* مغدمت الاعفرفة الانفام بمحكم في وب عامر بلس لتتولى اعالينهم المحاكمة
	الجنايات المعاقبتهم بمقتض النيد والوصف الواردين بقرار ألات
	وف المياسة تقسكت بطلبه ما والعرفة بعدان نظرت الدعوى عام النتوالوارد
	يه عاصر علسا سوا أ مدرت بجاسة 19 ذو العجة 1934 الموافق 1914 /10/20
L.	ورواالدى تنى منطوقه بأعالة الهتهبين الى متكمة الجنايات لتتولى عطالمة المتناسب المتولى عطالمة المناسب المتوابدة المناسبة المرفقة
	ما الما الما الما الما الما الما الما ا
	and the