

ANNEX
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THE PROSECUTION AND THE REGISTRY

National Transitional Council – Libya

Date: 23 November 2011

Judge Sanji Mmasenono Monageng

Presiding Judge, Pre-Trial Chamber I

International Criminal Court

Your Honour,

The National Transitional Council respects and values the decisions of the International Criminal Court in the situation in Libya. They reflect the international community's concern regarding the commission of crimes against humanity, which affect the international community as well as Libyans. The National Transitional Council also respects its obligations under United Nations Security Council Resolution 1970 and will cooperate fully with the International Criminal Court and the Security Council.

I wish to confirm to you that the National Transitional Council arrested Saif al-Islam Gaddafi on 19 November 2011 and investigations into the crimes he committed, including those committed since 15 February 2011, are currently being conducted.

The National Transitional Council wishes to affirm that, in accordance with the Rome Statute, the Libyan judiciary has primary jurisdiction to try Saif al-Islam Gaddafi and that the Libyan State is willing and able to try him in accordance with Libyan law.

For this reason, and in accordance with Article 94 of the Rome Statute, the issue of the Court's request for the arrest and surrender of Mr Saif al-Islam Gaddafi will be discussed with the Court. The latter will be officially informed of the Council's decision later.

Meanwhile, we will continue to work closely with the Office of the Prosecutor, as well as with you and Pre-Trial Chamber I to facilitate this process.

May peace and God's mercy and blessings be upon you,

Mustafa Abdel Jalil

Chairman of the National Transitional Council

[signed and stamped]