

Cairo – October 31<sup>st</sup>, 2011

**The ACIJLP urges the National Transitional Council of  
Libya**

**To ratify and access to the ICC**

**The Arab Center for the Independence of the Judiciary and the Legal Profession (ACIJLP) urges the National Transitional Council of Libya to take quick actions to ratify and access to the ICC for the prosecution and trial of those involved in committing the most serious crimes witnessed by Libya since 15<sup>th</sup> February 2011. Such crimes are represented in crimes against humanity and war crimes committed by the former Libyan President and his regime against the Libyan people.**

**The ACIJLP believes that the ratification and the accession of Libya to the International Criminal Court, will enable Libya to benefit from the principle of complementarity between the national judiciary in Libya and the judiciary of the ICC, so the perpetrators and those accused of crimes referred to it will not escape from the prosecution and penalty under trials which take into account the standards and regulations for fair equitable trial.**

**The ACIJLP also believes that that the number of the crimes that are committed against the Libyan people during the regime of the former Libyan president in general and what Libya has witnessed in the period of 15<sup>th</sup> February 2011 and until the declaration of the Liberation of Libya completely at the end of the month of October of that year, require the application of the international criminal law and the help of the ICC as the most important international judicial**

mechanisms on the consolidation of international criminal justice, especially as the Libyan punitive legislation, like the most punitive legislation in the Arab countries, does not include crimes against humanity, war crimes, genocide or crimes of aggression, crimes that fall within the scope jurisdiction of the ICC. Moreover, the Arab judicial bodies are not exposed to such issues or crimes before. Thus, the International Criminal Court- taking into account the principle of complementarity between ICC and the national judiciary- has inherent jurisdiction to prosecute the accused persons in order to support the effective and fair trials.

The ACIJLP points out that the initiative of the National Transitional Council of Libya to take the necessary actions regarding the accession to the ICC will enhance the status of the new State of Libya and prove the extent of respect for human rights mechanisms and mechanisms of international criminal justice. Such initiative will also confirm that a real change to the rule of law and respect for human rights in began Libya by the fall of the regime of the former President, who has not taken any steps towards the establishment of the criminal Court did not sign the Rome statute.

Therefore, the ACIJLP calls upon the National Transitional Council of Libya to ratify and access to the ICC and the ACIJLP refers to the Tunisian experience in this regard. The ACIJLP hopes that the National Transitional Council of Libya will take quick actions on the ratification of and accession to the ICC so that perpetrators will not escape from the penalty.