



Date : Monday 21 November 2011

Open letter to the Transitional National Council of Libya

The International Federation for Human Rights (FIDH) welcomes the arrest of Seif El Islam Gaddafi on Saturday November 19, 2011 and, according to media reports, of Abdullah El-Senoussi, chief of Gaddafi's intelligence, on Sunday 20 November 2011, in the South of Libya, but remains concerned by the fact that they are detained by the militia forces and not yet handed over to the government.

<http://www.fidh.org/Open-letter-to-the-Transitional>

FIDH - Worldwide Human Rights Movement

FIDH would like to stress that the Transitional National Council should make every effort to ensure that they get under its custody as soon as possible as it has the duty to guarantee in all circumstances their physical and psychological integrity, especially in a context where an act of revenge before any trial takes place is likely to happen.

FIDH takes note that according to Information Minister Mahmoud Shammam, the Libyan people would want to see Seif al-Islam Gaddafi tried at home for the crimes he committed against it. Nevertheless, such a trial shall not take place in Libya unless the Government would prove its willingness and capacity to ensure that Gaddafi and El-Senoussi will be tried before an ordinary court that complies with the international standards related to a fair trial and where the rights of defense are guaranteed, in accordance with the Rome Statute on the International criminal court.

Assuming that Libya may not be able to provide such guarantees, FIDH would advise to refer Seif El Islam Gaddafi and Abdullah El-Senoussi to the International Criminal Court (ICC) in The Hague where they have been prosecuted for crimes against humanity after the UN Security council referred the situation of Libya to the International criminal court in February this year.

FIDH urges in any case the National transition council to cooperate fully and without any restriction with the ICC

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