



Coalition for the International Criminal Court

**For more information, contact:**

**In Amman:** Ms. Abeer Al-Khraisha  
Middle East and North Africa Regional Adviser, CICC  
Tel: +962 6 5921 723  
Email: [alkhraisha@coalitionfortheicc.org](mailto:alkhraisha@coalitionfortheicc.org)

**In New York:** Mr. Ata R. Hindi,  
Outreach Liaison for the Middle East, North Africa, and Europe Tel: +1 (646) 465-8518  
Email: [hindi@coalitionfortheicc.org](mailto:hindi@coalitionfortheicc.org)

**In The Hague:** Ms. Oriane Maillet  
CICC Head of Communications  
Tel: (+31) 70 311 10 82  
E-mail: [maillet@coalitionfortheicc.org](mailto:maillet@coalitionfortheicc.org)

**MEDIA ADVISORY**

16 May 2011

**ICC Prosecutor Requests Arrest Warrants against Muammar al-Gaddafi,  
Saif al-Islam al-Gaddafi and Abdullah al-Sanusi**

*Prosecutor Submits First Application to Judges Regarding Crimes Against  
Humanity Allegedly Committed in Libya*

**WHAT:** On 16 May 2011, the Prosecutor of the International Criminal Court (ICC), Luis Moreno-Ocampo announced that his office submitted its first application to judges of ICC pre-trial chamber I for arrest warrants for alleged crimes against humanity committed in Libya since 15 February 2011. The prosecutor has applied for arrest warrants for three individuals: Libyan leader Muammar al-Gaddafi, his son Saif al-Islam al-Gaddafi, Libyan government spokesman, and Abdullah al-Sanusi, head of Libyan intelligence. The ICC is the world's first and only permanent international court to prosecute war crimes, crimes against humanity, and genocide.

**NEXT STEPS:** The judges of ICC pre-trial chamber I will now decide whether to 1) issue the arrest warrants; 2) reject the prosecutor's request; or 3) ask for further information. The pre-trial chamber will look at whether there are reasonable grounds to believe that Muammar al-Gaddafi, Saif al-Islam al-Gaddafi and Abdullah al-Sanusi have committed crimes against humanity and that the warrants are necessary to ensure the appearance of the suspects before the ICC, to prevent interference in the ongoing investigation and to prevent the commission of further crimes. Additionally, further cases may be opened in relation to other crimes committed as part of the ongoing hostilities in Libya. The prosecutor will address the UN Security Council (UNSC) in six months on further progress made in the investigation.

**COMMENTS:** "It now falls to the judges of the pre-trial chamber to decide whether or not to issue arrest warrants based on the evidence provided by the prosecutor," explained Sunil Pal, head of the legal section at the Coalition for the International Criminal Court.

"We urge the ICC pre-trial chamber to act as expeditiously as possible in this regard," he added. "The decisive action of the international community in referring the situation in Libya to the ICC as expressed in United Nations Security Council Res. 1970 sends a clear message to others in the country and in the wider region that the use of extreme force to suppress its populations will not be tolerated," Pal stated. "In furthering this resolution we urge states, the UNSC and other international and regional organizations to assist the Court with its ongoing investigations, which includes the arrest of these three men if ordered by the pre-trial chamber."

**BACKGROUND:** Libya is the sixth situation under investigation by the ICC. On 3 March 2011, the ICC prosecutor decided to open a formal investigation into the violence following UNSC Resolution 1970 (2011) which referred the situation in Libya to the ICC.

In its unanimously adopted resolution 1970 (2011), the UNSC considered that the widespread and systematic attacks taking place in Libya against the civilian population may amount to crimes against humanity and decided to refer the situation in Libya to the ICC prosecutor to investigate crimes committed from 15 February 2011. The ICC prosecutor can only investigate situations in non-state parties, such as Libya, where the Security Council refers the situation to the prosecutor in accordance with Article 15(b) of the Rome Statute or where a non-state party has submitted a declaration to the Registrar of the ICC accepting the jurisdiction of the Court in its territory pursuant to Article 12(3) of the Statute. The referral by the Council, however, did not automatically trigger an ICC investigation as the Court operates independently of the UN. Rather, it was the prosecutor's decision to determine whether an investigation was warranted. The decision to open an investigation was made on 3 March.

The ICC is the world's first, permanent international court to prosecute war crimes, crimes against humanity, and genocide. There are currently 114 ICC States Parties. Central to the Court's mandate is the principle of complementarity, which holds that the Court will only intervene if national legal systems are unable or unwilling to investigate and prosecute perpetrators of genocide, crimes against humanity, and war crimes. There are currently six active investigations before the Court: the Central African Republic; the Democratic Republic of the Congo; Darfur, the Sudan; Uganda, Kenya and Libya. The ICC has publicly issued 15 arrest warrants and nine summonses to appear. Three trials are ongoing. The office of the prosecutor has made public that it is examining at least nine situations on four continents, including Afghanistan, Colombia, Côte d'Ivoire, Georgia, Guinea, Honduras, Republic of Korea, Nigeria, and Palestine.

*The Coalition for the International Criminal Court is a global network of civil society organizations in 150 countries working in partnership to strengthen international cooperation with the ICC; ensure that the Court is fair, effective and independent; make justice both visible and universal; and advance stronger national laws that deliver justice to victims of war crimes, crimes against humanity and genocide. For more information, visit: [www.coalitionfortheicc.org](http://www.coalitionfortheicc.org).*

*Members of the Coalition are available for background information and comments. Experts list available upon request to: [communications@coalitionfortheicc.org](mailto:communications@coalitionfortheicc.org)*