

URGENT ACTION

RELEASE OF FOUR ICC STAFFERS HELD IN LIBYA

Four staff of the International Criminal Court (ICC) were released on 2 July 2012 after being held in detention in Libya for 26 days after meeting Saif al-Islam al-Gaddafi. All four were held by a militia group in the remote western town of Zintan.

The four ICC staff members arrived safely back in The Hague after their release on Monday 2 July 2012 following calls for their release by several governments, as well as the UN Security Council and the Presidency of the International Criminal Court.

Saif al-Islam al-Gaddafi's appointed defence counsel, **Melinda Taylor**, alongside interpreter **Helen Assaf** and two senior representatives of the ICC's Registry, **Esteban Peralta Losilla** and **Alexander Khodakov**, had been authorised by Pre-Trial Chamber I and granted permission by the Libyan authorities to visit him. The purpose of their visit included informing Saif al-Islam al-Gaddafi of current proceedings in his case at the ICC and taking his instructions regarding the Libyan government's current application to challenge the admissibility of the case at the ICC and to prosecute him before Libyan courts. The authorities of Libya accused Melinda Taylor of passing documents to Saif al-Islam al-Gaddafi that undermined Libyan national security, and ordered the detention.

Following her release, Melinda Taylor contacted Amnesty International to express her gratitude and appreciation - and that of her fellow detainees - for the organisation's work for their release. She spoke of how much these efforts meant to her and her colleagues, and expressed her thanks to the many individuals who had campaigned on their behalf.

However, both Melinda Taylor and Amnesty International have expressed concerns regarding the impact of these developments on Saif al-Islam al-Gaddafi's fair trial rights. Amnesty International reiterates that deprivation of liberty of the four ICC staff was not only entirely unacceptable, but that it has also undermined Saif al-Islam al-Gaddafi's right to an effective defense. In addition, it has delayed the ICC's decision on the Libyan authorities' recent application to bring him to trial in Libyan courts.

In addition to a full investigation of the detention of the ICC staff and the Libyan authorities' allegations against them – which is currently underway – the ICC's Pre-Trial Chamber I should also review the impact of this detention and take effective measures to ensure that the defence has adequate time and facilities to re-engage in the current proceedings against Saif al-Islam al-Gaddafi to determine where he should be prosecuted.

Many thanks to those who sent appeals on behalf of the four detained ICC staff members. No further action is required from the UA network.

This is the first update of UA 179/12. Further information: www.amnesty.org/en/library/info/MDE19/011/2012/en

Name: Melinda Taylor, Helen Assaf, Esteban Peralta Losilla and Alexander Khodakov
Gender: female, female, male, male (respectively)

Further information on UA: 179/12 Index: MDE 19/015/2012 Issue Date: 10 July 2012

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