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Libya must respect ICC call to surrender Saif al-Islam

Wednesday's decision by the International Criminal Court (ICC) ordering Libya to surrender Saif al-Islam al-Gaddafi immediately is a step forward for justice and accountability, Amnesty International said today.

"This clear ruling by the ICC judges should effectively bring an end to the long-running saga over the fate of Saif al-Islam," said Marek Marczyński, Head of Amnesty International's International Justice Team.

"Libya must act on the ICC's decision and surrender Saif al-Islam al-Gaddafi without further delay. An unfair trial before a Libyan court where the accused could face the death penalty is no way to guarantee justice and accountability."

"The ICC has indicated that it could refer any failure of the Libyan government to comply with the Court's ruling to the UN Security Council."

"In the absence of a functioning Libyan court system and for as long as the Libyan justice system remains weak and unable to conduct effective investigations, the ICC will be crucial in delivering accountability in Libya."

Media reports on Thursday said that the Libyan authorities had insisted, despite the ICC decision, that Saif al-Islam would be tried in the country.

Since his capture in November 2011, Saif al-Islam al-Gaddafi has been held in isolation in a secret location in Zintan without effective access to a lawyer or facilities to communicate with his family. The decision of the ICC judges once again confirms that the rights of the suspect must be protected.

Amnesty International is calling on the ICC and the Libyan authorities to take urgent measures to ensure Saif al-Islam's rights are guaranteed.

Saif al-Islam is wanted for crimes against humanity in connection to the brutal crackdown on demonstrations by his father's government.

The justice system in Libya continues to be virtually paralysed and criminal proceedings are yet to start against thousands of detainees, held mainly outside the framework of the law and accused of war crimes and other violations in relation to the conflict.

The vast majority of detainees have had no access to lawyers. Amnesty International is concerned that detainees have been forced to sign and / or thumb-print "confessions" extracted under torture or duress.