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Reference: 5A-ONG3
11/03/2013

The Dutch Safety Board Chairman
Mr. T.H. J. Joustra, LL.M.
Anna van Saksenlaan 50
2593 HT The Hague
P.O. Box 95404
2509 CK The Hague
The Netherlands

Dear Sir,

I have the honor to receive your letter dated March 7, 2013 under Reference OvV - 13500296 concerning the Handling process of DSB comments on the Draft Final Report of the AFRIQIYAH Airways Aircraft A330, 5A-ONG Crash Investigation.

While your explanations for the reasons that let The DSB published its "Confidential official comments" on its website are fully understood by Libyan CAA but we would like to point out that this investigation had been carried out in accordance with international standards, with participation of well known international Aircraft investigation organizations, where the Confidential material should not be published in a public form since ICAO Annex 13 Chapter 6 Paragraph 6.2 states that (States shall not circulate, publish or give access to a draft report or any part thereof, or any documents obtained during an investigation of an accident or incident, without the express consent of the State which conducted the investigation, unless such reports or documents have already been published or released by that latter State)

In addition, a meeting was held in Paris between the Investigation Committee and officials from The DSB to discuss those "Confidential official comments" resulted in signing a minutes of meeting which concludes that both parties came to a common agreement regarding the way the comments of the DSB were processed (Copy Attached with this Letter).

We would like to express our strong disagreement concerning the publication of this "Confidential official comments" on your official website and we as the state conducted the investigation have never gave your kind Board any authorization to publish this document.

Yours Sincerely,

Captain Nasereddin A. Shaebelain
Director General Civil Aviation - Libya

Cc: Mr Jean-Paul Troadec, Director of BEA

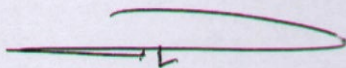
Minutes of Meeting

A delegation from Dutch Safety Board, The Netherlands, and Members of Investigation Committee of AFRIQIYAH Airways Aircraft Accident that occurred on 12/05/2010 held a meeting in the Libyan Embassy in Paris - France to discuss and review the action that was taken by the Investigation Committee regarding the Dutch Safety Board Comments on the Accident Draft Report.

During this meeting, all DSB Comments have been reviewed and the Investigation Committee Actions regarding those comments have been explained and finally both parties came to a common agreement regarding the way the comments of the DSB were processed.

This minutes of meeting has been agreed and signed by both parties.

In Paris on 11/02/2013,



Nagi R. DAW
Investigator in Charge



Erwin Muller
DSB Vice Chairman