

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-01/11

Date: 17 March 2025

PRE-TRIAL CHAMBER I

Before: Judge Iulia Antoanella Motoc, Presiding Judge
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge María del Socorro Flores Liera

SITUATION IN LIBYA

UNDER SEAL

***EX PARTE* only available to the Registry with
UNDER SEAL, *EX PARTE* Annexes 1 to 4, only available to the Registry**

Registry Transmission of "Invitation to the Italian Republic to provide submissions concerning its failure to surrender Osama Elmasry/Almasri Njeem to the Court following his arrest. Submissions by the Italian Republic pursuant to regulation 109 of the Regulations of the Court"

Source: Registry

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

☐ The Office of the Prosecutor

☐ Counsel for the Defence

☐ Legal Representatives of the Victims

☐ Legal Representatives of the Applicants

☐ Unrepresented Victims

☐ Unrepresented Applicants
(Participation/Reparation)

☐ The Office of Public Counsel for Victims

☐ The Office of Public Counsel for the Defence

☒ States' Representatives
Competent authorities of the Republic of Italy

☐ Amicus Curiae

REGISTRY

Registrar
M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

I. INTRODUCTION

1. The Registry hereby transmits to Pre-Trial Chamber I ("Chamber"), the *"Invitation to the Italian Republic to provide submissions concerning its failure to surrender Osama Elmasry/Almasri Njeem to the Court following his arrest. Submissions by the Italian Republic pursuant to regulation 109 of the Regulations of the Court"* ("Submissions"), received on 14 March 2025 from the Italian Republic ("Submitter" or "Italy").

II. PROCEDURAL HISTORY

2. On 17 February 2025, the Chamber invited the Italian Republic to provide submissions concerning its failure to surrender Mr Njeem to the International Criminal Court.¹
3. On 14 March 2025, the Registry received a hard copy of Italy's Submissions from a representative of the Embassy of Italy, at the seat of the Court, at 16.15.

III. CLASSIFICATION

4. Pursuant to regulation 23 *bis* (1) of the Regulations of the Court the present Submissions and their annexes are classified "under seal *ex parte*" as requested by the Submitter.²

¹ Pre Trial Chamber I, *'Invitation to the Italian Republic to provide submissions concerning its failure to surrender Osama Elmasry / Almasri Njeem to the Court following his arrest'*, ICC-01/11-162 of 17 February 2025.

² See annex 1 and 4 to the present submission.

IV. TRANSMISSION

5. Pursuant to rule 13(1) of the Rules of Procedure and Evidence, the Registry hereby transmits the Submissions and their annexes, in accordance with the Chamber's instructions.



Marc Dubuisson
Director, Division of Judicial Services on behalf of
Osvaldo Zavala Giler, Registrar

Dated this 17 March 2025

At The Hague, The Netherlands