

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11
Date: 10 July 2025

PRE-TRIAL CHAMBER I

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

SITUATION IN LIBYA

Public

Prosecution's Response to "Italy's Request for Leave to Submit Observations on the 'Prosecution's Observations on the Italian Republic's Submission under regulation 109' ICC-01/11-184-Conf'" ICC-01/11-187-AnxI

Source: Office of the Prosecutor

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

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☐ Legal Representatives of the Victims

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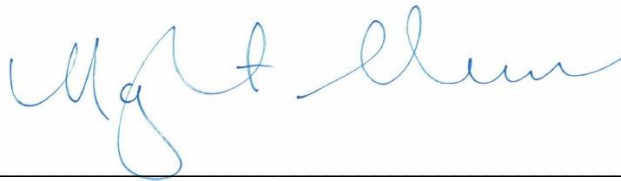
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A. INTRODUCTION

1. On 25 June 2025 the Prosecution filed its Observations on the Italian Republic's submissions under regulation 109.¹
2. On 9 July 2025 the Italian Republic filed its Request for leave to file observations in reply.² The Italian Republic submits that leave to reply should be granted to address "new issues arising from the Prosecution's observations."³

B. SUBMISSIONS

3. The Prosecution submits that its Observations do not raise any new issue which could not reasonably have been anticipated⁴ as required under regulation 24(5) of the Regulation of the Court.⁵
4. However, the Prosecution does not object to the Request for leave to reply in the particular circumstances of these proceedings.⁶



Nazhat Shameem Khan
Deputy Prosecutor

Dated this 10th day of July 2025
At The Hague, The Netherlands

¹ [ICC-01/11-184-Conf](#) ("Observations"). See also [ICC-01/11-184-Red](#) filed on 26 June 2025.

² [ICC-01/11-187-AnxI](#) ("Request").

³ Request, p.3.

⁴ *Contra* Request, p.3.

⁵ "[...] Unless otherwise permitted by the Chamber, a reply must be limited to new issues raised in the response which the replying participant could not reasonably have anticipated." See Regulations of the Court, reg. 24(5).

⁶ See, *mutatis mutandis*, ICC-01/18-456 OA3, para. 11 (exceptionally allowing a reply even if the requirements of regulation 24(5) are not met, if necessary for the adjudication of an appeal). See also [ICC-02/17-206 OA5](#), para. 8; [ICC-01/04-02/06-1994 OA6](#), para. 9; [ICC-01/04-02/06-1813 OA5](#), para. 8.