



Original: English

Nº: ICC-01/11
Date: 28 July 2025

PRE-TRIAL CHAMBER I

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

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With one Public Annex**

Transmission of Italy's Additional Observations

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
Italian Republic

☐ Amicus Curiae

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

☐ 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”), “Italy’s additional Observations on the ‘Prosecution’s Observations on the Italian Republic’s Submission under regulation 109’ ICC-01/11-187” (“Observations”), received by the Registry on 28 July 2025, from the Italian Republic (“Italy”).

II. Procedural History

2. On 6 May 2025, Italy provided the Registry with its submissions concerning its failure to surrender Mr Osama Elmasry/Almasri Njeem (“Mr Njeem”) to the International Criminal Court following his arrest.¹
3. On 26 June 2025, the Prosecution submitted its “Public Redacted Version of ‘Prosecution’s Observations on the Italian Republic’s Submissions under Regulation 109’ ICC-01/11-184-Conf, 25 June 2025”, (“Prosecution’s Observations”).²
4. On 8 July 2025, Italy transmitted a request for leave to submit observations on the Prosecution’s Observations (“Request”) which was filed in the case record by the Registry on 9 July 2025.³
5. On 18 July 2025, the Chamber granted the Request and authorized Italy to present its reply by no later than Monday, 28 July 2025.⁴

¹ Registry, “Third 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’”, 7 May 2025, ICC-01/11-177-AnxII.

² Prosecution, “Public Redacted Version of ‘Prosecution’s Observations on the Italian Republic’s Submissions under Regulation 109’ ICC-01/11-184-Conf, 25 June 2025”, 26 June 2025, ICC-01/11-184- Red

³ Registry, “Transmission of ‘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’”, 9 July 2025, ICC-01/11-187.

⁴ Pre-Trial Chamber I, “Decision on Italy’s request for leave to provide observations”, 18 July 2025, ICC-01/11-193.

6. On 28 July 2025, the Italian authorities transmitted their Observations to the Registry.

III. Transmission

7. Pursuant to rule 13(1) of the Rules of Procedure and Evidence, the Registry hereby transmits Italy's Observations in annex.

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

Dated this 28 July 2025

At The Hague, The Netherlands