

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-RoC46(3)**
Date: **26 August 2026**

PRESIDENT OF THE PRE-TRIAL DIVISION

Before: Judge Iulia Antoanella Motoc

**REQUEST UNDER REGULATION 46(3) OF THE REGULATIONS OF THE
COURT**

Public

**Decision assigning the ‘Formal Communication Requesting Investigation into
Systemic Kidnappings in Nigeria as Crimes Against Humanity’**

Decision 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**

☐ **Amicus Curiae**

REGISTRY

Registrar

Mr Osvaldo Zavala Giler

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations
Section**

☐ **Other**
Pre-Trial Chamber II

Judge Iulia Antoanella Motoc, acting as President of the Pre-Trial Division of the International Criminal Court (the ‘Court’), hereby renders this decision on the ‘Formal Communication Requesting Investigation into Systemic Kidnappings in Nigeria as Crimes Against Humanity’ (the ‘Request’), submitted to the President of the Pre-Trial Division under regulation 46(3) of the Regulations of the Court (the ‘Regulations’).¹

1. On 25 August 2026, the Registry transmitted the Request to the President of the Pre-Trial Division. The submitter requests ‘that the Pre-Trial Chamber exercise its judicial oversight and authorize/review measures regarding the epidemic of systemic, large-scale kidnappings in the Federal Republic of Nigeria’.²
2. The President of the Pre-Trial Division notes regulation 46(3) of the Regulations whereby:

Any matter, request or information not arising out of a situation assigned to a Pre-Trial Chamber in accordance with sub-regulation 2, shall be directed by the President of the Pre-Trial Division to a Pre-Trial Chamber according to a roster established by the President of that Division.³

3. As previously held, regulation 46(3) of the Regulations requires the President of the Pre-Trial Division to direct the ‘matter, request or information’ to a Pre-Trial Chamber ‘as long as the subject-matter [...] pertains to an issue that does not appear (a) to fall outside the competence of the Pre-Trial Chamber, or (b) to be manifestly frivolous’.⁴ In the event that the ‘matter, request or information’ passes this test, the President of the Pre-Trial Division will order the Registrar to file the ‘matter, request or information’ into the record ICC-RoC46(3) and assign it a new serial number in a given year, as provided in regulations 20(1) and 27 of the Regulations of the Registry.⁵

¹ ICC-RoC46(3)-01/26-1-Conf-Anx1.

² Request.

³ A roster was established on 19 December 2007 by the then President of the Pre-Trial Division; see Administrative Decision concerning the establishment of a Roster according to regulation 46 para. 3 of the Regulations of the Court, ICC-PTD-01/2007; the administrative decision (without the actual roster) was communicated to the Registry in “Administrative decision concerning the communications to the President of the Pre-Trial Division falling under regulation 46 para.3 of the Regulations of the Court”, 19 December 2007, ICC-PTD-02/2007. The roster was last amended on 24 October 2025 by way of the ‘Decision amending the roster within the meaning of regulation 46(3) of the Regulations of the Court’, ICC-ROC46(3)-10.

⁴ President of the Pre-Trial Division, Decision assigning the ‘Request for review of the Prosecution’s decision of 23 April 2014 not to open a Preliminary Examination concerning alleged crimes committed in the Arab Republic of Egypt, and the Registrar’s Decision of 25 April 2014’ to Pre-Trial Chamber II, 10 September 2014, ICC RoC46(3)-01/14-1, para. 3.

⁵ President of the Pre-Trial Division, Administrative Decision amending the Procedure and Roster under regulation 46(3) of the Regulations of the Court, 29 June 2018, ICC-PTD-01/2018, par. 9; Administrative

4. Without any prejudice to the determination by the competent Pre-Trial Chamber, the President of the Pre-Trial Division is of the view that the matter raised in the Request fulfils the above criteria.

FOR THESE REASONS, THE PRESIDENT OF THE PRE-TRIAL DIVISION

ASSIGNS the Request to Pre-Trial Chamber II; and

INSTRUCTS the Registry to notify Pre-Trial Chamber II of the Request.

Done in English. A French translation will follow. The English version remains authoritative.

A handwritten signature in black ink, consisting of stylized, overlapping loops and a long diagonal stroke extending upwards and to the right, positioned above a horizontal line.

**Judge Iulia Antoanella Motoc,
President of the Pre-Trial Division**

Dated this Wednesday, 26 August 2026

At The Hague, The Netherlands

Decision establishing a procedure for the handling of any “matter, request or information” falling under regulation 46(3) of the Regulations of the Court, 18 February 2015, ICC-PTD-01/2015, para. 7.