

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/11-01/20

Date: 8 August 2025

PRE-TRIAL CHAMBER I

Before:

Judge Iulia Antoanella Motoc, Presiding

Judge Reine Adélaïde Sophie Alapini-Gansou

Judge María del Socorro Flores Liera

SITUATION IN LIBYA

IN THE CASE OF

THE PROSECUTOR v. SAIF SULEIMAN SNEIDEL

Public redacted version of

Decision granting the Prosecution's second application to unseal the warrant of arrest for Saif
Suleiman Sneidel

with public Annex

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 I (the ‘Chamber’) of the International Criminal Court (the ‘Court’ or ‘ICC’) hereby issues this decision in the situation in the *Libyan Arab Jamahiriya* since 15 February 2011 (the ‘Libya Situation’) granting the Prosecution’s second application to unseal the warrant of arrest for Saif Suleiman Snejdel (the ‘Request’).¹

I. Procedural background

1. On 10 November 2020, the Chamber, in a previous composition, issued a warrant of arrest for Saif Suleiman Snejdel (‘Mr Snejdel’) with an ‘under seal, *ex parte*, Prosecution only’ classification (the ‘Warrant’).² In the Warrant, the Chamber ordered the Registry to ‘prepare a request for cooperation seeking the arrest and surrender of [Mr Snejdel] [...]’ and to ‘transmit, in consultation and coordination with the Prosecutor, the request to the competent authorities of Libya or any other relevant States [...]’.³

2. On 4 March 2021, the Chamber, following a request by the Prosecution,⁴ ordered the Registry ‘to suspend until further notice’ the transmission of a request for cooperation and the Warrant [REDACTED].⁵ The Chamber also ordered the Prosecution to submit a report on the progress achieved in this case every three months from the date of notification of the order.

3. On 13 July 2023, after receiving observations by the Registry,⁶ the Chamber rejected the first request by the Prosecution⁷ to unseal the Warrant and issue a public redacted version thereof on the basis that the risks of unsealing the Warrant clearly outweighed the alleged benefits at that juncture (the ‘Decision on the First Unsealing Application’).⁸

¹ Prosecution’s Second Application to Unseal the Warrant of Arrest for Saif Suleiman Snejdel, 10 July 2025, ICC-01/11-01/20-24-US-Exp with Annex I, ICC-01/11-01/20-24-US-Exp-Anx1.

² Warrant of Arrest [REDACTED], ICC-01/11-01/20-4-US-Exp. See also Decision on the Prosecutor’s Application for the Issuance of a Warrant of Arrest for Saif Suleiman Snejdel, 10 November 2020, ICC-01/11-01/20-6-Exp.

³ Warrant, p. 10.

⁴ [REDACTED].

⁵ [REDACTED].

⁶ Registry Report pursuant to the ‘Order concerning the Prosecution’s application to unseal the warrant of arrest for Saif Suleiman Snejdel and issue a public redacted version thereof’ (ICC-01/11-01/20-12-US-Exp), 26 May 2023, ICC-01/11-01/20-13-US-Exp.

⁷ Prosecution’s Application to unseal the warrant of arrest for Saif Suleiman Snejdel, 20 April 2023, ICC-01/11-01/20-11-US-Exp.

⁸ Decision rejecting the Prosecution’s application to unseal the warrant of arrest for Saif Suleiman Snejdel, ICC-01/11-01/20-14-US-Exp, para. 11.

4. On 5 August 2024, the Prosecution submitted a periodic progress report and requested the Chamber to lift the suspension of transmission of the Warrant [REDACTED].⁹
5. On 12 September 2024, after receiving observations from the Victims and Witnesses Unit (the 'VWU'),¹⁰ the Chamber granted the Prosecution's request to lift the suspension of transmission of the Warrant [REDACTED], issued a redacted version of the Warrant, and instructed the Registry to transmit the request for cooperation and the Warrant [REDACTED] in coordination and consultation with the Prosecution.¹¹
6. On 21 September 2024, the Registry transmitted the request for cooperation [REDACTED].¹²
7. On 18 February 2025, [REDACTED].¹³
8. On 10 July 2025, the Prosecution, in consultation with the VWU, requested the Chamber to unseal the Warrant and issue a public redacted version.¹⁴
9. On 25 July 2025, following the Chamber's instruction,¹⁵ the VWU submitted its observations,¹⁶ informing that it was consulted by the Prosecution prior to the filing of the Prosecution's application and provided its comments. The VWU further noted that it agrees with the Prosecution's application to unseal the Warrant, with the jointly approved redactions annexed to the Request.¹⁷

II. Determination by the Chamber

10. The Chambers recalls that, pursuant to article 68(1) of the Statute, it 'shall take appropriate measures to protect the safety, physical and psychological well-being, dignity and

⁹ Prosecution's periodic progress report and request to lift the suspension of transmission of the Arrest Warrant [REDACTED], ICC-01/11-01/20-20-US-Exp with Annex I, ICC-01/11-01/20-20-US-Exp-Anx1.

¹⁰ Victims and Witnesses Unit's Observations on the 'Prosecution's periodic progress report and request to lift the suspension of transmission of the Arrest Warrant [REDACTED]' (ICC- 01/11-01/20-20-US-Exp), 3 September 2024, ICC-01/11-01/20-21-US-Exp. [REDACTED].

¹¹ [REDACTED].

¹² Request, para. 16.

¹³ Request, para. 17.

¹⁴ Request.

¹⁵ Email from the Chamber to the VWU, 18 July 2025, at 14:26.

¹⁶ Victims and Witnesses Unit's Observations on the 'Prosecution's Second Application to Unseal the Warrant of Arrest for Saif Suleiman Snejdel' (ICC-01/11-01/20-24-US-Exp), ICC-01/11-01/20-25-US-Exp (the 'VWU Observations'). On 28 July 2025, the VWU filed a corrigendum, ICC-01/11-01/20-25-US-Exp-Corr with an explanatory note ICC-01/11-01/20-25-US-Exp-Corr-Anx.

¹⁷ VWU Observations, para. 8.

privacy of victims and witnesses’ and that ‘[t]hese measures shall not be prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial’.

11. The Chamber recalls that it previously rejected the first Prosecution’s application to unseal the Warrant for Mr Sneidel. In its Decision on the First Unsealing Application, the Chamber considered several factors, including, *inter alia*: [REDACTED].¹⁸ Based on the information before it at the time, the Chamber considered that the risks of unsealing the Warrant outweighed the alleged benefits, and therefore deemed it not appropriate to unseal the Warrant and issue a public redacted version at that juncture.¹⁹

12. According to the Prosecution, there have been material changes in circumstances since that decision, including: [REDACTED].²⁰

13. Additionally, the Chamber notes the Prosecution’s submission that the reasons underpinning the under seal classification of the Warrant no longer exist [REDACTED].²¹

14. The Chamber further notes that the Request currently before it has been submitted by the Prosecution in consultation with the VWU. In this opportunity, unlike with its first request, the VWU supports the Prosecution’s Request.²² The Chamber notes the ‘[REDACTED].’²³

15. In order to address the risks previously identified by the Chamber as a result of the requested unsealing of the Warrant, the Prosecution, in consultation with the VWU, proposes [REDACTED].²⁴

16. As to the benefits of a possible unsealing, the Prosecution submits that publicity improves the chances of arrest of Mr Sneidel by informing all States as well as the United Nations Security Council of its existence, thereby galvanising support from the international community, enabling the Court to identify additional opportunities for cooperation, and creating momentum for Mr Sneidel’s arrest and surrender.²⁵ Additionally, the Prosecution submits that the visibility of the work of the Court in Libya is essential for maintaining trust in the work of the Court and securing continued cooperation in investigations.²⁶ Considering the aforementioned circumstances, the Chamber finds that the risks of unsealing the Warrant are,

¹⁸ [REDACTED].

¹⁹ [REDACTED].

²⁰ [REDACTED].

²¹ Request, paras 20-21, 24.

²² VWU Observations, para. 8.

²³ Request, para. 18 e), 28. See also VWU Observations, paras 5-6, 7.

²⁴ Request, para. 28.

²⁵ Request, paras 25-26.

²⁶ Request, para. 27.

in the current conditions, outweighed by the potential benefits and accordingly grants the Prosecution's Request.

17. Considering that the Warrant was issued by a different composition of this Chamber, the Chamber issues a public redacted version as a separate annex to the present decision.

FOR THESE REASONS, THE CHAMBER HEREBY

GRANTS the Request;

UNSEALS the Warrant; and

ISSUES a public redacted version of the Warrant.

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



**Judge Iulia Antoanella Motoc,
Presiding**



**Judge Reine Adélaïde Sophie Alapini-
Gansou**



Judge María del Socorro Flores Liera

Dated this Friday, 8 August 2025

At The Hague, The Netherlands