EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Press Release
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Notification to Italian Government of two cases brought by alleged victims of former Libyan chief of police

The European Court of Human Rights has given notice[1] to the Government of Italy of the applications **Y v. Italy** (application no. 13270/25) and **Z v. Italy** (no. 7051/26).

The two applications concern the Italian authorities' alleged failure to enforce an International Criminal Court (ICC) arrest warrant against Osama Elmasry Njeem, former chief of the Libyan paramilitary police, who is accused of crimes against humanity. Mr Njeem was arrested in Italy in January 2025, but was repatriated to Libya shortly afterwards. The applicants in the case, nationals of South Sudan and the Ivory Coast, allege that they were victims of torture and ill-treatment when detained in prisons under Mr Njeem's control.

The statements of facts in Y. v. Italy and Z. v. Italy have been submitted to the parties, with questions from the Court. They are available in English on the Court's website.

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Notification of a case is a stage in the Court's proceedings when a Government is informed that an application against it is pending and that the Court is requesting more information. The Court cannot take up cases or issues by itself; it examines possible human-rights violations when people or States submit a complaint to it. **Notification** (often referred to as "communication") **does not mean that a case is admissible** or that there has been a violation of the European Convention on Human Rights. The Court's ruling in the case is made at a later stage. This could either be a decision on admissibility or a decision on admissibility and merits as part of one judgment.

On 17 January 2025 the ICC Prosecutor issued an arrest warrant for Osama Elmasry Njeem (also known as Osama Almasri Njeem), former chief of the Libyan paramilitary police, on charges, among other things, of torture, rape, sexual slavery, murder and crimes against humanity. On 19 January 2025, Mr Njeem was arrested by the Italian police and placed in pre-trial detention. He was released two days later when the Rome Court of Appeal refused to validate the arrest. Mr Njeem was immediately repatriated to Libya.

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The applicant, Y, is a national of South Sudan who fled his country of origin in 2018. Before arriving in Italy in June 2022 he was detained in Libya, in the Al-Jadida detention centre and in the Mitiga military base, both controlled by Mr Njeem. Y alleges that he was tortured and forced to fight in a military group led by Mr Njeem.

The applicant, Z, is an Ivory Coast national who fled to Libya when she was still a minor. In Libya she was held in slavery, subjected to sexual abuse and eventually brought to Mitiga prison, where she maintains that she was subjected to torture, sexual violence and ill-treatment at the hands, among others, of Mr Njeem, director of the prison. She eventually arrived in Italy by boat in 2017.

After Mr Njeem's repatriation, Z lodged a criminal complaint, alleging that she had been the victim of torture, sexual violence and ill-treatment in Libya. At the same time, she requested clarification

[1] Under Rule 54 § 2 (b) of the Rules of Court: "the Chamber or the President of the Section may decide to give notice of the application or part of the application to the respondent Contracting Party and invite that Party to submit written observations thereon and, upon receipt thereof, invite the applicant to submit observations in reply."

regarding the Italian authorities' failure to surrender Mr Njeem to the ICC and regarding his repatriation and asked for an assessment of whether those involved in the procedure were criminally responsible. However, authorisation to pursue the procedure was denied, and, on 28 October 2025, the panel for ministerial offences of the Rome Court dismissed the request to open criminal proceedings against, among others, the Minister of Justice, the Minister of the Interior and the Deputy Secretary of the Presidency of the Council of Ministers.

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The applications were lodged with the European Court of Human Rights on 16 April 2025 and 7 February 2026, respectively.

In their complaints to the European Court of Human Rights, both applicants allege that Italy's failure to enforce the ICC arrest warrant issued against Mr Njeem has breached their rights under Article 2 (right to life) and Article 3 (prohibition of torture and of inhuman or degrading treatment) of the European Convention of Human Rights. In addition, Z complains of a breach of her right under Article 4 (prohibition of forced labour and slavery) of the European Convention.

Also relying on Article 6 § 1 (right of access to court) of the European Convention, Z further complains that both the refusal to authorise the continuation of the criminal procedure and the non-enforcement of the ICC arrest warrant meant that no light was shed on her case and led to a denial of justice.

On 29 May 2026 the Government of Italy were given notice of the applications, with questions from the Court. At the same time, the Court decided to grant the cases priority under Rule 41 of the Rules of the Court.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.