



*Ministero degli Affari Esteri*

Rome, 01-09-2011

Prot. 238758

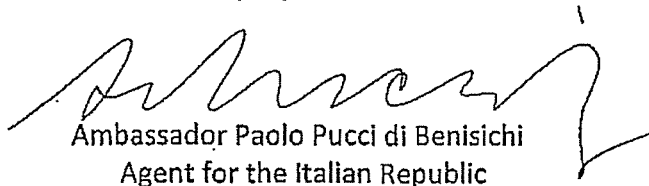
Excellency,

I refer to your letter n.138631, dated 4 July 2011, informing the Parties that the Court has fixed 5 September 2011 as the time-limit for the filing of the written observations by the Parties to the case concerning *Jurisdictional Immunities of the State (Germany v. Italy: Greece intervening)* regarding the Written Statement of the Hellenic Republic.

The Government of the Republic of Italy takes note that in its Written Statement dated 3 August 2011 the Hellenic Republic "considère que l'analyse juridique dans l'affaire 'Massacre de Distomo' et l'interprétation donnée au développement du droit international, reflète un état d'esprit répandu, ainsi que l'émergence d'une nouvelle situation dans ce complexe sensible, articulé par la responsabilité internationale de l'Etat, le droit à la réparation des individus pour violation du DIH et l'immunité de l'Etat". The Republic of Italy also takes note of the legal arguments presented by the Hellenic Republic to support its view, as well as of the information concerning the factual and legal context surrounding the decisions of Greek courts in the *Distomo* case.

I have the honour to inform you that the Republic of Italy will not present observations on the Written Statement of the Hellenic Republic at this stage of the proceedings. The Republic of Italy reserves its position and right to address certain points raised in the Written Statement, as necessary, in the course of the oral pleadings which will be held starting on 12 September 2011.

Please accept, Excellency, the assurances of my highest consideration.

  
Ambassador Paolo Pucci di Benisichi  
Agent for the Italian Republic

H.E. Mr Philippe Couvreur  
Registrar of the  
International Court of Justice  
The Hague