

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11-01/25

Date: 10 March 2026

PRE-TRIAL CHAMBER I

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

SITUATION IN LIBYA

IN THE CASE OF

THE PROSECUTOR v. KHALED MOHAMED ALI EL HISHRI

PUBLIC

Public redacted version of “Prosecution’s further request for contact restrictions pursuant to regulation 101(2) of the Regulations of the Court”, ICC-01/11-01/25-31-Conf, 4 December 2025

Source: Office of the Prosecutor

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

☐ Amicus Curiae

REGISTRY

Registrar

M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☒ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

A. INTRODUCTION

1. On 16 July 2025, authorities of the Federal Republic of Germany arrested Mr Khaled Mohamed Ali EL HISHRI (“EL HISHRI”) pursuant to a warrant of arrest issued against him by Pre-Trial Chamber I (the “Chamber”) on 10 July 2025.¹ On 4 August 2025, the Prosecution requested measures to restrict Mr EL HISHRI’s communications from the Detention Centre in The Hague with individuals outside the Detention Centre, to be implemented immediately upon his surrender to the International Criminal Court (“ICC” or the “Court”),² [REDACTED].³ On 31 October 2025, the Prosecution submitted a second request for restrictions between Mr EL HISHRI and his co-detainees.⁴ [REDACTED], [REDACTED], [REDACTED].⁵ [REDACTED],⁶ [REDACTED], on 1 December 2025, amended its Second Request for Contact Restrictions to seek the separation of Mr EL HISHRI from Arabic-speaking co-detainees.⁷ [REDACTED], [REDACTED], [REDACTED], [REDACTED].⁸

2. [REDACTED],⁹ [REDACTED], [REDACTED], [REDACTED], considering the measures available, a partial separation regime will best mitigate the risk of Mr EL HISHRI sharing confidential information through his fellow detainees, thereby putting the safety and security of victims and witnesses as well as their families at risk and jeopardising the integrity of the proceedings at the Court, [REDACTED]. The Prosecution therefore respectfully amends its Second Request for Contact Restrictions and requests the Chamber to instruct the Registry to partially separate Mr EL HISHRI from Arabic-speaking co-detainees, as further set out below, until the Chamber issues its decision on the confirmation of the charges.

B. CLASSIFICATION

3. This request is filed under seal and *ex parte*, only available to the Prosecution and Registry in accordance with regulation 23bis of the RoC because of its sensitive and confidential content. Such content includes, *inter alia*, reference to filings marked with the same classification. A confidential redacted version of this request will be filed shortly. A public redacted version will be filed in due course.

¹ ICC-01/11-188.

² ICC-01/11-201-US-Exp (“First Request for Contact Restrictions”).

³ [REDACTED]

⁴ ICC-01/11-212-US-Exp (“Second Request for Contact Restrictions”).

⁵ [REDACTED]

⁶ [REDACTED]

⁷ ICC-01/11-220-US-Exp (“Amended Second Request for Contact Restrictions”).

⁸ [REDACTED], [REDACTED] “[REDACTED]”, [REDACTED].

⁹ [REDACTED], [REDACTED] “[REDACTED]”, [REDACTED].

C. SUBMISSIONS

4. [REDACTED], [REDACTED], within the limits of the applicable legal framework, a partial separation regime constitutes the most appropriate measure to mitigate the risk of Mr EL HISHRI sharing confidential information through his fellow detainees. Under this regime, Mr EL HISHRI would be separated only from the Arabic-speaking detainees, while remaining housed with other detainees who do not speak Arabic. He would thus be able to associate with non-Arabic speaking detainees and participate in social and recreational activities alongside them, while retaining access to common areas. [REDACTED]¹⁰ [REDACTED].¹¹ The general detention regimes applicable to all other detainees at the Detention Centre would remain unchanged.

5. The Prosecution accordingly amends its Second Request for Contact Restrictions and respectfully requests the Chamber to instruct the Registry to implement the partial separation regime, [REDACTED], to prevent Mr EL HISHRI from sharing confidential information through his fellow detainees. Mr EL HISHRI's partial separation from the Arabic-speaking detainees is justified, necessary and proportionate in light of Mr EL HISHRI's demonstrated ability to manipulate and exploit others for his personal benefit, his history of intimidation and disregard for legal constraints and judicial orders, and the heightened risks posed by his influence and resources.¹²

D. CONCLUSION/RELIEF SOUGHT

6. For the foregoing reasons, the Prosecution respectfully requests the Chamber to order the Registry to implement a partial separation regime, whereby Mr EL HISHRI is separated only from Arabic-speaking detainees, until the Chamber issues its decision on the confirmation of the charges.

¹⁰ [REDACTED]

¹¹ [REDACTED]

¹² Second Request for Contact Restrictions, paras. 15-21; Amended Second Request for Contact Restrictions, paras. 7-9.



Nazhat Shameem Khan
Deputy Prosecutor

Dated this 10th day of March 2026

At The Hague, The Netherlands