

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 24 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
with Confidential Ex Parte, Prosecution Only, Annex 1
Prosecution's Eighth Communication of the Disclosure of Evidence

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. The Prosecution hereby notifies Pre-Trial Chamber I of the disclosure of evidence pursuant to articles 64(3)(c), 67(1)(a) and (b) and 67(2) of the Rome Statute, and rules 76(3) and 77 of the Rules of Procedure and Evidence.

B. CLASSIFICATION

2. This notification is filed as public. Annex 1 contain lists of evidence disclosed to the Defence and is classified as confidential ex parte, Prosecution only.

C. SUBMISSIONS

3. Pursuant to the Chamber's order for "the disclosure of any and all information or materials based on which the arrest warrant was issued",¹ and considering the decision of the Pre-Trial Chamber approving a staggered disclosure of witness identity,² between 11-19 March 2026, the Prosecution disclosed to the Defence 43 packages of evidence consisting of 747 items, 5,432 pages:

- a. Pre-Confirmation INCRIM Package 037- Contextual Elements - 11 March 2026 (39 items, 410 pages)
- b. Pre-Confirmation INCRIM Package 038- Modes of Liability - 11 March 2026 (15 items, 24 pages)
- c. Pre-Confirmation INCRIM Package 039- Crimes- 11 March 2026 (11 items, 24 pages)
- d. Pre-Confirmation INCRIM Package 041- Crimes- 11 March 2026 TR (5 items, 39 pages)
- e. Pre-Confirmation INCRIM Package 043 - Modes of Liability - 12 March 2026 – TR (16 items, 203 pages)
- f. Pre-Confirmation INCRIM Package 044 - Modes of Liability - 12 March 2026 (14 items, 69 pages)
- g. Pre-Confirmation INCRIM Package 045 - Crimes - 12 March 2026 (22 items, 31 pages)
- h. Pre-Confirmation INCRIM Package 046 - Crimes - 12 March 2026 (18 items, 76 pages)
- i. Pre-Confirmation INCRIM Package 047 - Contextual Elements - 12 March 2026 (6 items, 35 pages)

¹ ICC-01/11-01/25-T-001-ENG ET WT 03-12-2025 9 PT, p. 8, lines 1-3.

² ICC-01/11-01/25-46-Conf, para 9

- j. Pre-Confirmation INCRIM Package 048 - Modes of Liability - 13 March (50 items, 51 pages)
- k. Pre-Confirmation INCRIM Package 049 - Modes of Liability - 13 March TR (16 items, 203 pages)
- l. Pre-Confirmation INCRIM Package 050 - Contextual Elements - 13 March (52 items, 145 pages)
- m. Pre-Confirmation INCRIM package 051 - Modes of Liability - 16 March 2026 (6 items, 7 pages)
- n. Pre-Confirmation INCRIM package 052 - Crimes - 16 March 2026 (5 items, 509 pages)
- o. Pre-Confirmation INCRIM package 053 - Contextual Elements - 16 March 2026 (11 items, 80 pages)
- p. Pre-Confirmation INCRIM Package 054 - Crimes - 17 March 2026 (21 items, 254 pages)
- q. Pre-Confirmation INCRIM package 055 - Modes of Liability - 17 March 2026 (8 items, 241 pages)
- r. Pre-Confirmation INCRIM package 056 - Contextual Elements - 17 March 2026 (3 items, 75 pages)
- s. Pre-Confirmation INCRIM package 057 - Modes of Liability - 18 March 2026 (11 items, 251 items)
- t. Pre-Confirmation INCRIM package 058 - Crimes - 18 March 2026 (3 items, 44 pages)
- u. Pre-Confirmation INCRIM package 059 - Contextual Elements - 18 March 2026 (9 items, 105 pages)
- v. Pre-Confirmation INCRIM package 060 - Crimes - 19 March 2026 (10 items, 25 pages)
- w. Pre-Confirmation INCRIM package 061 - Modes of Liability - 19 March 2026 (12 items, 79 pages)
- x. Pre-Confirmation INCRIM package 062 - Contextual Elements - 19 March 2026 (15 items, 98 pages)
- y. Pre-Confirmation Rule 77 package 014 - Contextual Elements - 11 March 2026 (59 items, 70 pages)
- z. Pre-Confirmation Rule 77 package 015 - Modes of Liability - 16 March 2026 (21 items, 51 pages)³
- aa. Pre-Confirmation R77 Package 016- Crimes- 11 March 2026 (13 items, 18 pages)

³ The Prosecution notes that some R77 (023) and INCRIM (040,042) package numbers were skipped unintentionally during the disclosure process.

- bb. Pre-Confirmation Rule 77 package 017 - Crimes - 16 March 2026 (34 items, 37 pages)
- cc. Pre-Confirmation Rule 77 package 018 - Contextual Elements - 16 March 2026 (35 items, 189 pages)
- dd. Pre-Confirmation Rule 77 package 019 - Crimes - 17 March 2026 (6 items, 32 pages)
- ee. Pre-Confirmation Rule 77 package 020 - Modes of Liability - 17 March 2026 (36 items, 74 pages)
- ff. Pre-Confirmation Rule 77 package 021 - Contextual Elements 17 March 2026 (17 items,
- gg. Pre-Confirmation Rule 77 package 022 - Crimes - 18 March 2026 (5 items, 3 pages)
- hh. Pre-Confirmation Rule 77 package 024 - Contextual Elements - 19 March 2026 (12 items, 164 pages)
- ii. Pre-Confirmation Rule 77 package 025 - Modes of Liability - 19 March 2026 (5 items, 10 pages)
- jj. Pre-Confirmation PEXO package 002 11 March 2026 (1 item, 2 pages)
- kk. Pre-Confirmation PEXO package 003 17 March 2026 (1 item, 1 page)
- ll. Pre-Confirmation PEXO package 004 - 19 March 2026 (4 items, 4 pages)
- mm. Pre-Confirmation INCRIM Package - Translations 006 - 12 March 2026 (13 items, 370 pages)
- nn. Pre-Confirmation INCRIM package - Translations 007 - 13 March 2026 (13 items, 178 pages)
- oo. Pre-Confirmation package 008 - Translations - 16 March 2026 (8 items, 91 pages)
- pp. Pre-Confirmation INCRIM package - Translations 009 - 18 March 2026 (7 items, 268 pages)
- qq. Pre-Confirmation INCRIM package - Translations - 010 - 19 March 2026 (45 items, 216 pages)

4. Pre-Confirmation INCRIM Package 037 contains primarily relevant open source materials related to the contextual elements of the case, in addition to several items of witness-related material. Pre-Confirmation INCRIM Package 038, Pre-Confirmation INCRIM Package 039, and Pre-Confirmation INCRIM Package 044 contain primarily relevant open source materials related to the case, in addition to several items of witness-related materials.

5. Pre-Confirmation INCRIM Package 045 primarily contains primarily materials relating to witnesses, as well as open source materials related to the case. Pre-Confirmation INCRIM

Package 046 contains primarily open source videos and other open source materials related to the case. Pre-Confirmation INCRIM Package 047 contains translations of disclosed material, as well as items of witness-related materials. Pre-Confirmation INCRIM Package 048 contains AV content and attendant transcripts and translations of materials recovered from the suspect's phone, as well as witness-related materials. Pre-Confirmation INCRIM Package 050 contains primarily open source AV material, as well as witness-related materials.

6. Pre-Confirmation INCRIM package 052 contains relevant Libyan legislation.
7. Pre-Confirmation INCRIM packages 053 and 056 contain open source materials.
8. Pre-Confirmation INCRIM packages 054, 055, 057, 058, 059, 060, 061, 062 and 063 contain lesser redacted versions of previously disclosed witness materials, as well as other non-witness related materials.
9. Pre-Confirmation Rule 77 package 014 and Pre-Confirmation R77 Package 016 contain open source information and some Rule 77 witness material related to Prosecution witness P-1764.
10. Pre-Confirmation Translation 006, 007, 008, 009 and 010 packages provide translations of previously disclosed items. One item in Translations 007 (LBY-OTP-03703675) was discovered to have a translation error. A corrected version (LBY-OTP-03703753) has been prepared and disclosed.
11. Pre-Confirmation PEXO packages 002 and 003 contain witness-related investigation reports. Pre-Confirmation PEXO package 004 contains open source information.
12. The items contained in the INCRIM packages may also contain information material to the preparation of the Defence pursuant to rule 77 of the Rules of Procedure and Evidence and/or subject to article 67(2) of the Rome Statute.
13. With respect to redactions, the Prosecution has followed the redaction protocol adopted by the Chamber on 3 December 2025⁴ and applied "standard" redactions to the disclosed items.

⁴ ICC-01/11-01/25-T-001-ENG ET WT 03-12-2025 9 PT, p. 8, lines 4-7.

14. In addition, the Prosecution has applied non-standard redactions as requested in the Prosecution's requests for authorisation to withhold the identity of witnesses.⁵



Nazhat Shameem Khan
Deputy Prosecutor

Dated this 24th day of March 2026
At The Hague, The Netherlands

⁵ ICC-01/11-01/25-86 and ICC-01/11-01/25-86-89