

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

*No. ICC-01/11-01/25
Date: 9 April 2026*

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. KHALED MOHAMED ALI EL HISHRI

PUBLIC

Defence notice pursuant to Rule 78

Source: Defence for Mr Khaled Mohamed Ali El Hishri

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

Mr Osvaldo Zavala Giler

☐ Counsel Support Section

☒ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and Reparations
Section

☐ Other

I. INTRODUCTION

1. The Defence for Mr Khaled Mohamed Ali El Hishri (“Defence”) files this notice pursuant to Rule 78 of the Rules of Procedure and Evidence, and the order of Pre-Trial Chamber I (“PTC”).¹

II. SUBMISSIONS

2. At the first status conference in this case, the PTC stated, “Regarding the disclosure by the Defence of any evidentiary items pursuant to Rule 78 of the Rules of Procedure and Evidence, the Chamber sets the deadline of 9 April 2026.”²

3. The Defence accordingly gives notice that it has, at the date of filing, no items of evidence that it intends to use during the forthcoming confirmation hearing to disclose.

4. The Defence brings to the PTC’s attention the fact that it is awaiting responses to a number of requests for assistance sent to third parties. The Defence does not know if or when it might receive any responses. If the Defence receives additional material upon which it would like to rely in the confirmation of charges proceedings, it will disclose the same without delay and will make the appropriate request to vary the PTC’s time limit under Regulation 35 of the Regulations of the Court. Based on the nature of the requests for assistance, the Defence does not expect that any such material will be voluminous.

Respectfully submitted,



Yasser Hassan
Counsel for Mr Khaled Mohamed Ali El Hishri

Dated this 9th April 2026
at The Hague, The Netherlands

¹ Transcript of First Status Conference, ICC-01/11-01/25-T-002-CONF-ENG, page 15, lines 2-4

² *Ibid.*