

**Cour
Pénale
Internationale**

1.
**International
Criminal
Court**



Original: English

**No. ICC-01/11-01/25
Date: 28 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

THE PROSECUTOR V. KHALED MOHAMED ALI EL HISHRI

Public

Order setting the schedule and directions for the confirmation of charges hearing

Order 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

PRE-TRIAL CHAMBER I (the ‘Chamber’) of the International Criminal Court (the ‘Court’), having considered articles 50(3), 61(5), (6) and (7) of the Rome Statute (the ‘Statute’), Rule 122 of the Rules of Procedure and Evidence, and Regulations 29, 52 and 64 of the Regulations of the Registry, issues the present order setting the schedule and directions for the confirmation hearing.

1. On 3 December 2025, during the initial appearance of Mr Khaled Mohamed Ali El Hishri (‘Mr El Hishri’),¹ the Chamber set the commencement date of the confirmation of charges hearing (the ‘Confirmation Hearing’) to 19 May 2026.

2. During this initial appearance hearing, subsequent status conferences, as well as in written and email decisions,² the Chamber issued a number of directions on various matters related to the conduct of the confirmation of charges proceedings.

3. Having considered the parties and participants’ observations in this regard,³ and taking into account the nature and limited purpose of the confirmation of charges proceedings, the scope of the present case, as well as the fact that both parties will have had the opportunity to present submissions in writing in advance of the Confirmation Hearing,⁴ the Chamber considers it appropriate to allocate the following time for oral presentations:

- Prosecution: a total of 4 hours, including a maximum of 30 minutes for opening statement;
- Victims’ Representatives: a total of 2 hours, including a maximum of 30 minutes for opening statement; and
- Defence: a total of 4 hours, including a maximum of 30 minutes for opening statement.

4. The Chamber underlines that, in order to ensure the expeditiousness and efficiency of the proceedings, the oral submissions of the parties and participants must be concise in nature and repetition should be avoided. Parties and participants’ submissions on the merits should be used

¹ Transcript of hearing, ICC-1/11-01/25-T-001-ENG, p. 7.

² Transcript of hearing, 3 December 2025, ICC-1/11-01/25-T-001-ENG, pp. 7-9; Transcript of hearing, 28 January 2026, ICC-01/11-01/25-T-002-ENG; Order on further matters related to the conduct of confirmation proceedings, 16 February 2026, ICC-01/11-01/25-66; Email from the Chamber on 14 April 2026 at 13:56.

³ Joint Prosecution and Defence submissions on the disclosure process, preparation for the Confirmation Hearing and the agenda of the third status conference, 13 April 2026, ICC-01/11-01/25-102 (the ‘Joint Submissions’), paras 6-9; Email from the OPCV on 16 April 2026 at 10:07.

⁴ The Chamber does not deem it appropriate to allocate each party the 7 hours they request for their respective oral presentations (Joint Submissions, para. 7). In this respect, the Chamber emphasises that parties need not repeat during the Confirmation Hearing submissions already put forward in writing.

to respond to the opposing party's written submissions which will have been put on the record by then. On the last day of the hearing, and only if necessary, the Chamber may decide to hear final observations for any reply to argument or question which would have been raised *for the first time* during the Confirmation Hearing.

5. Subject to any necessary adjustments to be made during the course of the Confirmation Hearing,⁵ the Chamber decides to sit as follows:

Tuesday 19 May 2026, 10:00-12:00 and 13:30-15:30

Reading of the charges, any necessary procedural matters, opening statements, start of Prosecution's submissions

Wednesday 20 May 2026, 10:00-12:00 and 13:30-15:30

End of Prosecution's submissions, Victims' Representatives' submissions, including views and concerns, start of Defence's submissions

Thursday 21 May 2026, 10:00-12:00 and 13:30-15:30

End of Defence's submissions, any final remarks and/or replies to be authorised by the Chamber, Judges' questions

6. The Chamber expects the Confirmation Hearing to be held almost exclusively, if not entirely, in open session. The Chamber instructs the parties and participants to liaise and prepare accordingly. Should resort to private session be at all necessary, any such (joint) request to this effect shall be put before the Chamber at the earliest opportunity, via email and preferably before the commencement of the Confirmation Hearing.

7. To ensure efficient presentation of evidence during the Confirmation Hearing, including audio and/or video materials, parties and participants are directed to liaise with, and follow relevant instructions to be provided by, the courtroom officer.

8. Finally, in line with its prior decision,⁶ with the understanding that this can be accommodated by the Registry, notably because Arabic interpretation services are already provided at the hearing to meet the Statute's article 67(1)(f) requirements, the Chamber

⁵ For example, in the afternoon, instead of one session of 2 hours, the Chamber may sit for two sessions of 1,5 hour.

⁶ Email from the Chamber on 19 January 2026 at 14:30.

exceptionally authorises Defence Counsel to address the Court in Arabic during the Confirmation Hearing.

FOR THESE REASONS, THE CHAMBER HEREBY

ADOPTS the above schedule and directions for the Confirmation Hearing.

Done in English. A French translation will follow. The English version remains authoritative.



Judge Iulia Antoanella Motoc, Presiding



**Judge Reine Adélaïde Sophie Alapini-
Gansou**



**Judge María del Socorro Flores
Liera**

Dated this Tuesday, 28 April 2026

At The Hague, The Netherlands