

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/11-01/25

Date: 17 July 2026

APPEALS CHAMBER

Before: Judge Erdenebalsuren Damdin, Presiding
Judge Tomoko Akane
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa
Judge Gocha Lordkipanidze

SITUATION IN LIBYA

IN THE CASE OF THE PROSECUTOR v. KHALED MOHAMED ALI EL HISHRI

PUBLIC

Notice of Appeal Against “Decision on the Defence’s challenge to the jurisdiction of the Court pursuant to article 19 of the Statute” (ICC-01/11-01/25-142)

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

1. On 30 April 2026, the Defence for Mr Khaled Mohamed Ali El Hishri (“Defence”) filed its challenge to the jurisdiction of the International Criminal Court (“Challenge”).¹
2. On 15 July 2026, Pre-Trial Chamber I issued its decision on the Challenge (“Impugned Decision”), by which it rejected the Challenge on all grounds.²
3. The Defence hereby submits its Notice of Appeal against the Impugned Decision pursuant to Article 82(1)(a) of the Rome Statute, Rule 154(1) of the Rules of Procedure and Evidence and Regulation 64(1) of the Regulations of the Court, and gives notice of the following particulars of its appeal:
 - a. **Name and number of the case:** The Prosecutor v. Khaled Mohamed Ali El Hishri, ICC-01/11-01/25;
 - b. **Title and date of the decision being appealed:** Decision on the Defence’s challenge to the jurisdiction of the Court pursuant to article 19 of the Statute, ICC-01/11-01/25-142, issued on 15 July 2026;
 - c. **Scope of the appeal:** The appeal is directed against the whole of the Impugned Decision;
 - d. **Provision of the Statute pursuant to which the appeal is filed:** Article 82(1)(a)
 - e. **Relief sought:** The Defence respectfully requests that the Appeals Chamber:
 - i) reverse the Impugned Decision;
 - ii) find that there is no valid basis for the exercise of the Court’s jurisdiction over the crimes alleged against Mr El Hishri;
 - iii) find that there is no legal basis for the continuation of the proceedings against Mr El Hishri; and
 - iv) order his immediate and unconditional release, with prejudice.

¹ Defence Challenge to Jurisdiction of the International Criminal Court Pursuant to Article 19 of the Rome Statute, [ICC-01/11-01/25-108-Conf-Corr](#) (corrected and public redacted versions filed on 6 May 2026)

² Decision on the Defence’s challenge to the jurisdiction of the Court pursuant to article 19 of the Statute, [ICC-01/11-01/25-142](#).

Respectfully submitted,

A handwritten signature in black ink, reading "Yasser Hassan". The signature is fluid and cursive, with the first name "Yasser" and last name "Hassan" clearly distinguishable.

Yasser Hassan
Counsel for Mr Khaled Mohamed Ali El Hishri

Dated this 17 July 2026
at The Hague, The Netherlands