

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 21 August 2026

APPEALS CHAMBER

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

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

Public

**Prosecution response to the Defence request for an extension of the page limit for
the appeal brief (ICC-01/11-01/25-163)**

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

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M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

A. SUBMISSIONS

1. On 17 July 2026, the Defence filed its notice of appeal¹ against Pre-Trial Chamber I's decision² rejecting the Defence challenge³ to the Court's exercise of jurisdiction over Mr EL HISHRI. On 22 July 2026, the Defence filed a request for an extension of time to file the appeal brief by 28 August 2026,⁴ which was granted by Appeal Chamber (the "Chamber") on 24 July 2026.⁵ On 20 August 2026, the Defence filed a request for an extension for the page limit for its appeal brief to 35 pages (the "Defence Request").⁶

2. The Prosecution does not oppose the Defence Request. Should the Chamber grant the Defence the requested extension of the page limit, the Prosecution respectfully requests that it be afforded the same page extension for the Prosecution's response brief, in the interest of fairness. In this regard, the Defence has indicated that it would not object to such an extension.⁷



Nazhat Shameem Khan
Deputy Prosecutor

Dated this 21st day of August 2026

At The Hague, The Netherlands

¹ ICC-01/11-01/25-145.

² ICC-01/11-01/25-142.

³ ICC-01/11-01/25-108-Conf-Corr.

⁴ ICC-01/11-01/25-151.

⁵ ICC-01/11-01/25-155.

⁶ ICC-01/11-01/25-165.

⁷ Defence Request, para. 14.