

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11-01/25
Date: 21 August 2026

TRIAL CHAMBER VII

Before: Judge Althea Violet Alexis-Windsor, Presiding Judge
Judge Miatta Maria Samba
Judge Beti Hohler

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

**Public
with Confidential Annex 1**

Prosecution's Ninth 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 Trial Chamber VII of the disclosure of evidence pursuant to articles 64(3)(c) and 67(1)(a) and (b) 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 contains a list of evidence disclosed to the Defence and is classified as confidential.

C. SUBMISSIONS

3. On 20 August 2026, the Prosecution disclosed to the Defence 6 packages of evidence consisting of 72 items (719 pages):

- a. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0001 - 20 August 2026; 49 items (285 pages)
- b. Pre-Trial INCRIM - Crimes - 0002 - 20 August 2026; 6 items (9 pages).
- c. Pre-Trial INCRIM - Modes of Liability - 0003 - 20 August 2026; 3 items (55 pages)
- d. Pre-Trial R77 - Contextuals/Jurisdiction - 0001 - 20 August 2026; 7 items (358 pages)
- e. Pre-Trial R77 - Crimes - 0002 - 20 August 2026; 4 items (6 pages)
- f. Pre-Trial R77 - Modes of Liability - 0003 - 20 August 2026; 3 items (6 pages).

4. Pre-Trial INCRIM - Contextuals/Jurisdiction – 0001 - 20 August 2026 contains open source materials, UN documents, NGO reports, government documents, and translations of the same relating to the case.

5. Pre-Trial INCRIM - Crimes - 0002 - 20 August 2026 contains open source materials and an investigation report and translations relating to the case.

6. Pre-Trial INCRIM - Modes of Liability - 0003 - 20 August 2026 contains open source materials and a transcript and translation of the same relating to the case.

7. Pre-Trial R77 - Contextuals/Jurisdiction - 0001 - 20 August 2026 contains UN documents, NGO reports, and a note verbale from the NL Libyan Embassy to the OTP relating to the case.
8. Pre-Trial R77 - Crimes - 0002 - 20 August 2026 contains open source materials relating to the case.
9. Pre-Trial R77 - Modes of Liability - 0003 - 20 August 2026 contains open source materials relating to the case.
10. 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.
11. With respect to redactions, the Prosecution has followed the redaction protocol adopted by the Chamber on 3 December 2025¹ and applied “standard” redactions to the disclosed items.



Nazhat Shameem Khan
Deputy Prosecutor

Dated this 21st day of August 2026
At The Hague, The Netherlands

¹ ICC-01/11-01/25-T-001-ENG ET WT 03-12-2025 9 PT, p. 8, lines 4-7.