

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 25 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

**Submissions on behalf of Victims on the matters identified
in the “Order Scheduling the First Status Conference”
(No. ICC-01/11-01/25-157)**

Source: Office of Public Counsel for Victims

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. PROCEDURAL BACKGROUND

1. On 20 July 2026, the Presidency, following the issuance of the Decision confirming the charges,¹ constituted Trial Chamber VII (the “Chamber”) and transmitted to it the record of the case.²

2. On 22 July 2026, the Chamber elected its Presiding Judge and designated its Single Judge.³

3. On 28 July 2026, the Chamber issued the “Order Scheduling the First Status Conference” (the “Order”),⁴ setting the hearing for 3 September 2026,⁵ and instructing the parties and participants to file, by 25 August 2026, their submissions on the following matters in preparation for trial:

A. Commencement date of the trial.

B. Anticipated evidence. The Chamber addresses this item primarily to the Prosecution. The Defence is not obligated to provide this information at this stage unless it so desires.

(1) Estimated number of witnesses to be called and number of hours of in-court testimony;

(2) Use of expert witnesses;

(3) Testimony given by audio or video link;

(4) Estimated volume of documentary and other non-testimonial evidence to be relied upon at trial; and

(5) Use of Rule 68 of the Rules.

C. Agreed facts under Rule 69 of the Rules.

D. Languages to be used by the parties, participants, and the witnesses whom the parties intend to call.

¹ See the “Decision on confirmation of the charges against Mr Khaled Mohamed Ali El Hishri” (Pre-Trial Chamber I), [No. ICC-01/11-01/25-143](#), 16 July 2026 (the “Confirmation Decision”).

² See the “Decision constituting Trial Chamber VII and referring to it the case of *The Prosecutor v. Khaled Mohamed Ali El Hishri*” (Presidency), [No. ICC-01/11-01/25-147](#), 20 July 2026.

³ See the “Decision notifying the election of the Presiding Judge and the Single Judge” (Trial Chamber VII), [No. ICC-01/11-01/25-150](#), 22 July 2026.

⁴ See the “Order Scheduling the First Status Conference” (Trial Chamber VII), [No. ICC-01/11-01/25-157](#), 28 July 2026 (dated 27 July 2026) (the “Order”).

⁵ *Ibid.*

E. Disclosure of outstanding material in the Prosecution's possession and related issues:

- (1) Whether the Prosecution's investigations are still ongoing;
- (2) Timing and volume of disclosure of outstanding evidence pursuant to Article 67(2) of the Statute and Rules 76 and 77 of the Rules;
- (3) Transcription and translation issues;
- (4) Protective measures for witnesses (including additional need for redactions, delayed disclosure or referrals to the Court's witness protection programme);
- (5) Disclosure of witnesses' identities which have been withheld from the Defence; and
- (6) Disclosure of material obtained pursuant to Article 54(3)(e) of the Statute.

F. Disclosure by the Defence, including whether the Defence intends to advance a defence in accordance with Rules 79 and 80 of the Rules.

G. Provision of trial briefs.

H. Motions requiring resolution prior to the commencement of trial.

I. Update and forecast on (additional) applications by victims to participate in the proceedings and updated report and recommendation on the legal representation of victims.⁶

J. Continued application of Protocols adopted during the confirmation of charges proceedings.

4. In addition, the Chamber indicated that the parties and participants "*may express their wish to add agenda items to the abovementioned list and indicate whether, in their view, any portion(s) of the status conference should be held ex parte*".⁷ It further instructed that "[s]hould the parties and participants know of any matters which may delay the start of the trial or which should be resolved before the status conference, they should promptly bring these to the Chamber's attention".⁸

⁶ The Registry was ordered to make submissions on points D. E.(4) and I. See the Order, *supra* note 4, para. 2.

⁷ See the Order, *supra* note 4, para. 3.

⁸ *Ibid.*, para. 5.

5. Pursuant to the Order, the Common Legal Representatives of the Victims (the “CLR”) submit their observations on the matters identified by the Chamber.

II. SUBMISSIONS

Matters under Item A - Commencement of the trial

6. Victims have consistently conveyed their wish for the trial to start as soon as practicable. Throughout meetings with the CLR, the victims reiterated the importance of expeditious proceedings and voiced their firm opposition to any delay in the commencement of the trial.

7. Taking into account the victims’ right to expeditious proceedings, the Accused’s right to be tried without undue delay, and the need to afford potential new victims a reasonable period within which to apply for participation in the proceedings, the CLR consider it feasible for the trial to start in early January 2027.

Matters under Item B - Anticipated evidence

8. The CLR will only be in a position to assess whether they wish to seek authorisation to present evidence, including to call witnesses in the proceedings, at a later stage, as this assessment will be closely contingent upon the Prosecution’s presentation of evidence and the relevant interests of the victims.

9. Therefore, they request the Chamber to follow the well-established practice before the Court,⁹ and allow the legal representatives of victims to request leave to

⁹ See the “Decision on the request by victims a/0225/06, a/0229/06 and a/0270/07 to express their views and concerns in person and to present evidence during the trial” (Trial Chamber I), [No. ICC-01/04-01/06-2032-Anx](#), 26 June 2009, paras. 17 and 25-27. See also, the “Decision on the supplemented applications by the legal representatives of victims to present evidence and the views and concerns of victims” (Trial Chamber III), [No. ICC-01/05-01/08-2138](#), 22 February 2012, para. 20; the “Decision on victims’ representation and participation” (Trial Chamber V), [No. ICC-01/09-01/11-460](#), 3 October 2012, paras. 56-58; the “Decision on victims’ representation and participation” (Trial Chamber V), [No. ICC-01/09-02/11-498](#), 3 October 2012, paras. 55-57; and the “Decision on the participation of victims in the trial proceedings” (Trial Chamber IV), [No. ICC-02/05-03/09-545](#), 20 March 2014, paras. 22-41.

present evidence and/or views and concerns of victims at the close of the presentation of evidence by the Prosecution.¹⁰

Matters under Item C - Agreed facts

10. The requirement to afford due consideration to the interests of the victims with regard to any agreement between the parties as to facts or evidence in a given case is clearly reflected in rule 69 of the Rules of Procedure and Evidence (the “Rules”). Pursuant to said provision, the *“Chamber may consider such alleged fact as being proven, unless the Chamber is of the opinion that a more complete presentation of the alleged facts is required in the interest of justice, in particular the interests of the victims”*.¹¹ Accordingly, no agreement between the parties may become effective and binding in a manner detrimental to the victims’ interests. Furthermore, article 69(3) of the Rome Statute (the “Statute”) empowers trial chambers *“to request the submission of all evidence that it considers necessary for the determination of the truth”*. This reading of rule 69 is also supported by the jurisprudence of the Court.¹²

11. Therefore, the victims should have an opportunity to express their views and concerns on proposed agreed facts before the Chamber’s ruling on whether it accepts them as proven or whether a more complete presentation of the alleged facts is required in the interests of justice.¹³

¹⁰ See e.g., the “Directions on the conduct of the proceedings” (Trial Chamber I), [No. ICC-02/05-01/20](#), 4 October 2021, paras. 19(ii) and 21. See also, the “Initial Directions on the Conduct of the Proceedings” (Trial Chamber V, Presiding Judge), [No. ICC-01/14-01/18-631](#), 26 August 2020, para. 16; and the “Further Directions on the Conduct of the Proceedings (Presentation of Evidence by the CLRV and the Defence)” (Trial Chamber V), [No. ICC-01/14-01/18-1892](#), 29 May 2023, paras. 11-12.

¹¹ See rule 69 of the Rules (emphasis added).

¹² See, most recently, the transcript of the status conference held on 27 May 2026, [No. ICC-01/21-01/25-T-009-Red-ENG WT](#), p. 48, lines 12-14. See also, *inter alia*, the “Decision on agreements between the parties” (Trial Chamber I), [No. ICC-01/04-01/06-1179](#), 20 February 2008, para. 11; the “Notification on behalf of Applicant Victims on the ‘Joint Prosecution and Defence submission on agreed facts’”, [No. ICC-02/05-01/20-304](#), 16 March 2021; the “Notification on behalf of Applicant Victims on the ‘Second Joint Prosecution and Defence submission on agreed facts’”, [No. ICC-02/05-01/20-352](#), 19 April 2021; and the “Notification on behalf of Applicant Victims [sic] on the ‘Third Joint Prosecution and Defence submission on agreed facts’”, [No. ICC-02/05-01/20-514](#), 9 November 2021.

¹³ See rule 69 of the Rules.

12. This approach is consistent with the legal framework of the Court. It would enable victims to comprehend issues covered by any agreements between the parties and to assess the potential impact such agreements may have on their interests and on the proceedings as a whole. Notifying victims of such agreements before the Chamber makes any determination on their merits would also enhance their effective and meaningful participation at trial. Moreover, allowing victims to submit their views and concerns in relation to any agreed facts would also contribute to the overall fairness of the proceedings. While the CLRV do not consider it necessary to be involved in discussions between the parties, any agreement reached pursuant to rule 69 of the Rules should nevertheless be notified to them in a timely manner to allow them to provide observations, if need be.

Matters under Item D - Languages to be used at trial

13. The CLRV inform the Chamber that the majority of the victims currently authorised to participate in the proceedings speak Arabic. While some victims may understand and speak English, they are more comfortable communicating in Arabic, particularly when recounting traumatic experiences. Allowing the victims to speak Arabic is important to ensure accurate communication of their experiences, particularly where linguistic nuances, cultural context, or emotionally sensitive testimony may not be fully conveyed in English.

14. In this regard, the CLRV's experience in communicating with numerous participating victims indicates that communication between speakers of different varieties of Libyan Arabic can generally take place effectively and without significant difficulty. Nevertheless, differences in vocabulary, expressions and usage, including variations within Libyan Arabic itself, may affect the precise understanding of and communication concerning aspects of victims' accounts. While the Court's Arabic interpreters possess the professional expertise necessary to provide such interpretation, they may need to familiarise themselves with the Libyan dialect and its linguistic particularities. Preparation could include briefings on relevant dialectal

features and terminology, together with a glossary of local terms and expressions reflecting variations across Libyan dialects. These measures would assist interpreters in adapting their Arabic to the linguistic context of participating victims, thereby facilitating their effective participation, and ensuring that the nuances of their experiences are accurately understood and conveyed.

15. Providing Arabic interpretation during the trial is also essential to ensuring that victims and their families can fully understand and participate in the proceedings, including legal decisions that directly affect their pursuit of justice. It also promotes fairness, transparency, and respect for victims' rights by ensuring that language barriers do not hinder their ability to be heard. It also contributes to recognising the dignity of victims and to strengthening confidence in the fairness, integrity and accessibility of the judicial process.

16. The CLRV further note that the broad scope of the case encompasses victims from diverse linguistic backgrounds. The Chamber should therefore take into consideration the need for interpretation, translation, and outreach measures in the relevant languages to ensure that victims can effectively exercise their participatory rights throughout the proceedings. In this regard, the CLRV recall that the majority of migrants arriving in Libya originate from neighbouring countries. According to IOM statistics, migrants arriving in Libya are mainly from Sudan, Niger, Egypt, Chad, and Nigeria, with other groups originating from countries such as Ghana, Mali, and Eritrea, representing more than 40 different nationalities in total.¹⁴

17. While the CLRV will use English and French throughout the proceedings, they respectfully request authorisation to exceptionally address the Chamber in Arabic where specific circumstances so require in the interests of the victims they represent. Such an arrangement may, for example, be appropriate for certain portions of the opening statements or during the questioning of particularly vulnerable witnesses.

¹⁴ See IOM Libya, [Migrant Report Round 62](#), March-April 2026.

Allowing this flexibility would significantly enhance the victims' ability to follow and engage in the proceedings, support their effective participation, safeguard their right to be heard, and promote the fairness and accessibility of the trial within the affected communities.

Matters under Items E, F - Disclosure by the parties - and H - Motions prior to trial

18. The CLRV have no submissions in relation to matters under E, F and H. However, they respectfully request to be granted the floor during the status conference to respond to any submissions made by the parties that may directly affect the interests of the victims they represent.

Matters under Item G - Trial Briefs

19. Concerning the filing of trial briefs, the CLRV note the practice in previous cases of authorising legal representatives to file their own briefs, should they wish to do so.¹⁵ They see no reason to depart from the procedure followed in previous instances.

Matters under Item I - Additional Applications by Victims and Legal Representation of Victims

20. As regards an update and forecast concerning additional applications by victims to participate in the proceedings, the CLRV recall that only 64 victims are currently authorised to participate.¹⁶ This comparatively low number does not reflect the scale of victimisation underlying the case, particularly in light of the temporal

¹⁵ See the "Decision Setting the Commencement Date of the Trial" (Trial Chamber IX), [No. ICC-02/04-01/15-449](#), 30 May 2016, para. 8. See also, the "Decision Setting the Commencement Date of the Trial" (Trial Chamber V), [No. ICC-01/14-01/18-589](#), 16 July 2020, para. 16; and the "Directions on the conduct of proceedings" (Trial Chamber I), [No. ICC-02/05-01/20-478](#), 4 October 2021 (the "*Abd-Al-Rahman* Directions on the Conduct of Proceedings"), para. 9.

¹⁶ See the "Decision on victims' participation and legal representation" (Pre-Trial Chamber I), [No. ICC-01/11-01/25-117](#), 11 May 2026.

scope of the charges spanning several years.¹⁷ As indicated during the confirmation of charges hearing, many victims have not yet come forward to participate in the proceedings due, *inter alia*, to the prevailing insecurity in Libya, the trauma resulting from the crimes allegedly committed against them, and the lack of clarity regarding the scope of the case prior to the Confirmation Decision.¹⁸

21. Following the confirmation of charges, a number of victims have expressed renewed interest in participating in the proceedings, having gained a clearer understanding of the allegations to be adjudicated at trial. The CLRV therefore anticipate that additional applications for participation may be submitted in the coming months, particularly as outreach efforts continue and information regarding the proceedings becomes increasingly accessible to affected communities. In this regard, the CLRV have already been approached by victims, and application forms are currently being completed and submitted to the Registry.¹⁹ Accordingly, the CLRV respectfully request that, consistent with the Court's previous practice,²⁰ victims be permitted to submit applications for participation until the end of the CLRV's case, or, at a minimum, until the close of the Prosecution's presentation of evidence.²¹

22. Moreover, given the specificity of the present case, in particular the fact that entire families were affected by the crimes, the CLRV request the Chamber to maintain the possibility for victims to submit either individual or household application forms.

¹⁷ See the Confirmation Decision, *supra* note 1, para. 80, referring to: the "Document Containing the Charges", [No. ICC-01/11-01/25-92](#), 26 March 2026, paras. 26-33; and the "Public redacted version of 'Corrected Version of 'Pre-Confirmation Brief, ICC01/11-01/25-94-Conf, 26 March 2026'", ICC-01/11/01/25-94-Conf-Corr, 24 April 2026", [No. ICC-01/11-01/25-94-Corr-Red](#), 4 May 2026 (dated 1 May 2026), paras. 45-67. See also, the "Decision on victims' participation and legal representation", *supra* note 16, para. 11.

¹⁸ See the transcript of the confirmation hearing held on 19 May 2026, [No. ICC-01/11-01/25-T-004-ENG CT WT](#), p. 21, lines 12-20. See also, the "Decision on victims' participation and legal representation", *supra* note 16, para. 11; and the "Decision on the legal representation of victims" (Pre-Trial Chamber I), [No. ICC-01/11-01/25-84](#), 12 March 2026, para. 8.

¹⁹ The CLRV have transmitted to the Registry additional application forms for 31 victims since the close of the confirmation proceedings.

²⁰ See the "Decision on the Registry's request for extension of time limit to submit victims' applications for participation" (Trial Chamber I), [No ICC-02/05-01/20-868](#), 9 February 2023, para. 20.

²¹ See the [Chamber's Practice Manual](#), edition November 2024, para. 97(iii).

Permitting the use of household applications would facilitate meaningful victim participation, avoid unnecessary duplication of applications, and better reflect the collective impact that the alleged crimes have had on numerous family units.

23. Before addressing the matter of legal representation, the CLRV inform the Chamber that Counsel from the OPCV remain available to represent victims during trial. This is particularly relevant given that the vast majority of participating victims and applicants to date have indicated that they wish to be represented by the Office. In this regard, a dedicated and effective team, including a native Arabic speaker, is fully engaged in the present case, and secure channels of communication with victims have been put in place.

24. Concerning the organisation of legal representation of victims at the trial stage, the CLRV submit that clarity on the arrangements for legal representation should be provided at the earliest appropriate opportunity. Such clarity is essential both to ensure that victims are adequately informed of the arrangements concerning their representation and to enable any appointed legal representative(s) to prepare effectively for trial. It would also ensure that victims are consulted adequately and in a timely manner in preparation for the proceedings.

25. The eventual number of participating victims remains uncertain. Should the number of victims participating at trial significantly increase,²² the appointment of a group of common legal representatives may be appropriate and may assist in ensuring the effective and meaningful representation of a larger victim population. In this regard, the CLRV emphasise the importance of preserving the trust relationship established between the victims and their lawyers, while also ensuring the effectiveness and efficiency of the legal representation provided. In such circumstances, the CLRV note that they have consistently consulted and coordinated with the external lawyers originally appointed by victims in these proceedings and

²² See *supra* paras. 2021.

remain available to contribute to a collaborative representation structure that builds on these existing professional relationships, provided that counsel are able to work constructively together while ensuring effective coordination and a coherent approach to the representation of victims' interests.²³

26. In any case, the CLRV underline the need to take into account the practical, financial, infrastructural, and logistical constraints faced by the Court,²⁴ while preserving continuity of representation and addressing the security considerations previously identified in these proceedings.²⁵

27. Finally, the CLRV stress the importance of adequate and timely consultation between the Registry, the CLRV, and lawyers who have demonstrated an engagement in the proceedings, with a view to exploring and, where possible, reaching a shared understanding regarding the legal representation model best suited to safeguarding victims' preferences while ensuring effective and high-quality representation. In this regard, the CLRV reserve their right to address the Chamber during the status conference following the Registry's submissions on this issue.

Matters under Item J – Continued Application of Protocols

28. The CLRV have no observations on the E-Court Protocol,²⁶ the Protocol on the handling of confidential information during investigations and contact between a

²³ See, *inter alia*, the "Observations on behalf of Victims on the Defence's Challenge to the Court's Jurisdiction (No. ICC-01/11-01/25-108-Conf-Corr)", [No. ICC-01/11-01/25-130-Conf](#) and [No. ICC-01/11-01/25-130-Red](#), 12 June 2026, para. 21.

²⁴ See the "Order on the organisation of common legal representation of victims" (Trial Chamber II), [No. ICC-01/04-01/07-1328](#), 22 July 2009, para. 11.

²⁵ See the "Decision on victims' participation and legal representation", *supra* note 16, paras. 12, and 15; and the "Decision on the legal representation of victims", *supra* note 18, para. 8.

²⁶ See the "Annex to the Registry Submission of the Unified Technical Protocol for the provision of evidence, witness and victims information in electronic form ('E-Court Protocol')", [No. ICC-01/11-01/25-32-Anx](#), 4 December 2025.

party or participant and witnesses of the opposing party or of a participant,²⁷ and on the Dual Status Witness Protocol,²⁸ as already adopted at the pre-trial stage of the case.

29. In relation to the Redaction Protocol,²⁹ the practice has shown that in the course of the proceedings – and particularly at trial – lifting of redactions in application forms or in documents attached to application forms or related to victims may become a live issue. Therefore, the CLRV suggest that certain categories of information such as contact information of victims and information identifying intermediaries should be considered as falling in the standard category redactions without the need for specific approval by the Chamber. In addition, in accordance with the established practice and regulation 42 of the Regulations of the Court, the legal representatives should be consulted on any request for lifting redactions which may impact prior rulings granting such redactions in victims' application forms and related material. The CLRV further request that they be afforded an opportunity to respond to and, where necessary, challenge any such request before the Chamber.

30. Finally, the CLRV favour the implementation of the Witness Preparation Protocol.³⁰

Other matters

31. Concerning the invitation by the Chamber to address further items,³¹ the CLRV wish to address a few additional matters related to the conduct of the proceedings.

²⁷ See the transcript of the initial appearance held on 3 December 2025, [No. ICC-01/11-01/25-T-001-ENG ET WT](#), p. 8, lines 13-16; and the Annex to the [Chambers Practice Manual](#), pp. 36-43.

²⁸ See the transcript of the status conference held on 28 January 2026, [No. ICC-01/11-01/25-T-002-Red-ENG CT2 WT](#), p. 19, lines 6-14; and the "Annex to the Registry Submission of the Dual Status Witness Protocol", [No. ICC-01/11-01/25-63-Anx](#), 2 February 2026.

²⁹ See the transcript of the initial appearance held on 3 December 2025, [No. ICC-01/11-01/25-T-001-ENG ET WT](#), p. 8, lines 4-7; and the [Chambers Practice Manual](#), paras. 98-100.

³⁰ See the *Abd-Al-Rahman* Directions on the Conduct of Proceedings, *supra* note 15, and its [Annex A](#). See also, the [Chambers Practice Manual](#), para. 79.

³¹ See *supra* para. 4.

(i) *Request for a remote room for victims to attend the proceedings in The Hague*

32. During the confirmation of charges hearing a number of victims attended the proceedings, and several victims have already expressed their willingness to travel to The Hague to follow the trial in person. In this regard, victims have indicated the need for a secure, private, and technically equipped space from which they may follow the hearings separately from the public gallery.³² Said arrangement would be consistent with the Court's obligation under article 68(1) of the Statute to safeguard the security, physical and psychological well-being, dignity, and privacy of victims.

33. The establishment of such a dedicated space would advance the broader principle of victim-centred justice by ensuring that affected individuals can meaningfully follow and engage with the judicial process without compromising their safety and emotional well-being. It would also be consistent with international standards concerning victims' participation, particularly in cases involving allegations of widespread or systematic human rights violations. In the present case, where many victims and their families continue to face security risks, the availability of such a space would enable them to follow the proceedings and participate meaningfully while benefiting from appropriate protective measures. Such an arrangement would enhance transparency, promote fairness, and strengthen confidence in the judicial process by allowing victims to remain engaged under conditions that respect their security and dignity.

34. Therefore, the CLRV respectfully request that the Chamber consider instructing the Registry to identify and implement solutions in coordination with the CLRV.

³² See Coalition for the ICC Victims' Rights Working Group, [Improving Accessibility And Victim Engagement At ICC Hearings: Recommendations ahead of the El Hishri hearing, drawing on lessons from Duterte](#), May 2026.

(ii) *Questioning of Witnesses*

35. The CLRV respectfully request that the Chamber adopt the approach followed in the *Abd-al-Rahman* case³³ regarding the questioning of witnesses by the legal representatives.³⁴ Said approach is more conducive to an efficient and expeditious conduct of the proceedings, distinguishable from that previously adopted by other trial chambers, such as in the *Ntaganda*,³⁵ *Muthaura et al.*,³⁶ and *Saïd*³⁷ cases where legal representatives were required to submit a motivated written request in relation to each witness they wished to question, specifying the type and 'area' they intended to address in their examination. The *Abd-al-Rahman* approach reduced the burden on both parties and the Chamber by avoiding the need to adjudicate individual formal requests thereby allowing time and resources to be dedicated to substantive issues arising during trial. Moreover, it allowed the CLRV to assess, in the course of the examination of the witness, whether additional questioning relevant to their clients' interests was both necessary and warranted in the specific circumstances. Any objections to the CLRV's request to question a witness could also be addressed more efficiently orally and on an *ad hoc* basis.

³³ See the *Abd-Al-Rahman* Directions on the Conduct of Proceedings, *supra* note 15, para 35.

³⁴ A similar approach was adopted in the *Ongwen* case: see the "Initial Directions on the Conduct of the Proceedings" (Trial Chamber IX), [No. ICC-02/04-01/15-497](#), 13 July 2016, para. 10.

³⁵ See the "Decision on the conduct of the proceedings" (Trial Chamber VI), [No. ICC-01/04-02/06-619](#), 2 July 2015, para. 64.

³⁶ See the "Decision on victims' representation and participation" (Trial Chamber V), [No. ICC-01/09-02/11-498](#), 3 October 2012, para. 73.

³⁷ See the "Decision on matters relating to the participation of victims during the trial" (Trial Chamber VI), [No. ICC-01/14-01/21-278](#), 13 April 2022, paras. 55-58.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Pellet', followed by a period.

Sarah Pellet

A handwritten signature in black ink, appearing to read 'Paolina Massidda', with a horizontal line underneath.

Paolina Massidda

Dated this 25th day of August 2026

At The Hague, The Netherlands