

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 31 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

Order Setting the Agenda for the First Status Conference

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

TRIAL CHAMBER VII (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v. Khaled Mohamed Ali El Hishri*, having regard to Article 64(3) of the Rome Statute (the ‘Statute’), Rule 132(1) of the Rules of Procedure and Evidence (the ‘Rules’), and Regulations 54 and 81(4)(b) and (c) of the Regulations of the Court, issues this ‘Order Setting the Agenda for the First Status Conference’.

1. On 27 July 2026, the Chamber issued its ‘Order Scheduling the First Status Conference’ setting 3 September 2026 as the date for the first status conference in this case and ordering the parties and participants to provide submissions in preparation thereof by 25 August 2026 (the ‘Scheduling Order’).¹

2. On 25 August 2026, the Prosecution, the Defence, the Office of Public Counsel for Victims and the Registry filed their submissions.²

3. In light of the written submissions of the parties and participants, the Chamber will not require oral submissions on some of the items listed in its Scheduling Order and has added some additional items to the agenda. The Chamber therefore issues the following agenda for the status conference:

- a. Commencement date of the trial and the deadlines leading up to the start of the trial;
- b. Anticipated evidence:
 - i. Any relevant updates from the Prosecution since its submissions of 25 August 2026 regarding the estimated

¹ Order Scheduling the First Status Conference, 27 July 2026 (notified on 28 July 2026), ICC-01/11-01/25-157.

² Joint Prosecution and Defence submissions pursuant to the “Order scheduling first status conference”, ICC-01/11-01/25-169 (the ‘Joint Submissions’); Submissions on behalf of Victims on the matters identified in the “Order Scheduling the First Status Conference” (No. ICC-01/11-01/25-157), ICC-01/11-01/25-170; Registry Submissions pursuant to the “Order Scheduling the First Status Conference” (ICC-01/11-01/25-157), ICC-01/11-01/25-171 (with Annex I, a confidential *ex parte* annex available to the Registry and the Prosecution only, and Annex II, a confidential *ex parte* annex available to the Registry only, accompanied by a public redacted version); Defence supplementary submissions pursuant to the “Order scheduling first status conference”, ICC-01/11-01/25-172; Prosecution’s submissions pursuant to the “Order scheduling first status conference”, ICC-01/11-01/25-173-Conf (a public redacted version was notified on 26 August 2026, ICC-01/11-01/25-173-Red).

number of witnesses, documentary and other non-testimonial evidence to be relied upon at trial;

- ii. Use of expert witnesses;
 - iii. Practical modalities for audio-visual link for witness testimony;
 - iv. Use of Rule 68 of the Rules;
 - v. Potential Article 56 requests.
- c. Agreed facts under Rule 69 of the Rules;
- d. Languages to be used by the witnesses whom the parties intend to call and interpretation and translation needs. Any request regarding the use of a language other than the working languages of the Court by parties and participants, shall be made via formal filing;
- e. Disclosure of outstanding material in the Prosecution's possession and related issues, including any relevant updates since its 25 August 2026 submissions:
- i. Impact of any ongoing Prosecution investigations on its disclosure obligations;
 - ii. Timing and volume of disclosure of outstanding evidence pursuant to Article 67(2) of the Statute and Rules 76 and 77 of the Rules;
 - iii. Transcription and translation issues;
 - iv. Protective measures for witnesses, including (delayed) disclosure of witnesses' identities and referrals to the Court's witness protection programme. This specific item will partly be discussed in an *ex parte* session, Prosecution and VWU only, after all other items in the agenda have been discussed.

- 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 the trial;
- i. Victims' participation and legal representation in the proceedings;
- j. Continued application and adoption of additional protocols.

4. Having regard to the number of issues to be discussed, the Chamber will hold the status conference on 3 September 2026 according to the following schedule:

- a. 9:30-11:00
- b. 11:30-13:00
- c. 14:30-16:00

5. The status conference will be public, with the exception of one *ex parte* session, Prosecution and VWU only, which will be held at the end of the status conference. However, the Chamber may order the use of private sessions to avoid disclosure of sensitive information regarding witness protection and security issues.

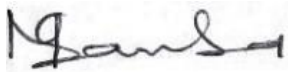
6. The Chamber notes that the parties, participants and the Registry have raised other issues, which although not to be dealt with during this first status conference, may be discussed in upcoming status conferences leading to the start of trial.

FOR THESE REASONS, THE CHAMBER HEREBY

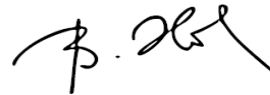
SETS the agenda for the first status conference, as provided in paragraph 3.



Judge Althea Violet Alexis-Windsor
Presiding Judge



Judge Miatta Maria Samba



Judge Beti Hohler

Done in both English and French, the English version being authoritative.

Dated 31 August 2026

At The Hague, The Netherlands