

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/11-01/25
Date: 16 October 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

Joint Prosecution and Defence Request for amendment to the E-Court protocol

Source: Office of the Prosecutor
Defence of 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
M. Zavala Giler, Osvaldo

☐ Counsel Support Section

☒ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

A. INTRODUCTION

1. Further to the Joint Submissions on the Conduct of Proceedings,¹ the Parties request that the Chamber amend the current E-Court Protocol² when it adopts the E-Court Protocol for trial, and authorise the Registry to create an additional metadata field to include URL metadata for open-source materials in the El Hishri case database in NUIX. The Parties recall that at the first status conference on 3 September 2026, the Chamber indicated that it would issue a decision on the adoption of the E-Court Protocol in its decision on the conduct of proceedings.³

B. SUBMISSIONS

2. The Parties note the recent decision in the Duterte case (‘Duterte E-Court decision’) to include an additional metadata field capturing URL metadata in NUIX and amend the E-Court Protocol accordingly.⁴

3. The Parties request that the Chamber includes this amendment in the E-Court Protocol which it will issue in this case.

4. The Parties submit that, as recognised in the Duterte E-Court decision,⁵ the addition of this field will allow the Chamber, the Parties and the participants to easily identify the URL associated with the open-source evidence at the time it was captured.

5. The Parties note that in the Duterte E-Court decision, it was confirmed that the Registry is able to create the proposed metadata field⁶ and the Parties believe this applies *mutatis mutanda* across all NUIX databases managed by Registry, including in the El Hishri case.

6. More specifically, the Parties request that the amendment of the E-Court Protocol include the following row to the “Table 1 (potential) evidentiary materials” chart at paragraph 32 of the current E-Court Protocol.⁷

¹ ICC-01/11-01/25-197.

² 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’), ICC-01/11-01/25-32.

³ Transcripts of hearing, ICC-01/11-01/25-T-007-ENG; ICC-01/11-01/25-T-008-CONF-EXP, page 31.

⁴ Duterte ‘Decision on the Prosecution’s and the Defence’s requests to amend the E-Court Protocol’ (Duterte E-Court decision), ICC-01/21-01/25-508.

⁵ Duterte E-Court decision, para 8.

⁶ *Ibid.*

⁷ E-Court Protocol.

Field Name	Data Type	Explanation	Example	One to
URL	Memo	Uniform resource locator: The original web address from which the item was collected.	https://www.icc-cpi.int/	One

C. CONCLUSION

7. The Parties ask the Chamber to grant their request to amend the E-Court Protocol as set out above, and apply this amendment to the E-Court Protocol that it will adopt in the forthcoming conduct of proceedings decision.



**Mame Mandiaye Niang,
Acting Prosecutor**



**Yasser Hassan
Counsel for Mr Khaled Mohamed
Ali El Hishri**

Dated this 16th day of October 2026

At The Hague, The Netherlands