Cour
Pénale
Internationale

International
Criminal
Court

Original: ***English***

*No.***: *ICC-01/11-01/25***
Date: **05 November 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 Eleventh 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 06, 20 and 23 October 2026, the Prosecution disclosed to the Defence 9 packages of evidence consisting of 363 items and 4 packages with Metadata and Reclassification updates with (160 items):

a. Pre-Trial INCRIM - Modes of Liability - 0011 - 6 October 2026 (5 items)
b. Pre-Trial INCRIM - Crimes - 0012 - 6 October 2026 (74 items)
c. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0013 - 6 October 2026 (8 items)
d. Pre-Trial INCRIM - Crimes - 0014 - 20 October 2026 (35 items)
e. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0015 - 20 October 2026 (11 items)
f. Pre-Trial INCRIM – Contextuals/Jurisdiction – 0016 – 23 October 2026(13 items)
g. Pre-Trial Rule 77 - Contextuals/Jurisdiction - 0009 6 October 2026 (2 items)
h. Pre-Trial Rule 77 - Crimes - 0010 - 6 October 2026 (1 item)
i. Pre-Trial R77 – Modes of Liability – 0011– 23 October 2026 (214 items)
j. Pre-Trial INCRIM Metadata Update – 6 October 2026 (26 items)
k. Pre-Trial INCRIM Metadata Update – 20 October 2026 (39 items)
l. Pre-Trial Rule 77 Metadata Update - 20 October 2026 (91 items)
m. Pre-Trial Reclassification INCRIM - 0004 - 20 October 2026 (4 items)

4. Pre-Trial INCRIM - Modes of Liability - 0011 - 6 October 2026 contains Facebook posts related to the case.

5. Pre-Trial INCRIM - Crimes - 0012 - 6 October 2026 contains witness statements, an investigation report, and translations relating to the case.

6. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0013 - 6 October 2026 contains a UNSC report, open source materials, and transcripts and translations of the same relating to the case.

7. Pre-Trial INCRIM - Crimes - 0014 - 20 October 2026 contains witness statements, an investigation report, and translations relating to the case.

8. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0015 - 20 October 2026 contains witness statements, an investigation report, and translations relating to the case.

9. Pre-Trial INCRIM – Contextuals/Jurisdiction – 0016 – 23 October 2026 contains UN reports, NGO reports, and open source materials relating to the case.

10. Pre-Trial Rule 77 - Contextuals/Jurisdiction - 0009 6 October 2026 contains a letter and an excel sheet on crimes and detention in Libya.

11. Pre-Trial Rule 77 - Crimes - 0010 - 6 October 2026 contains an investigation report regarding a witness.

12. Pre-Trial R77 – Modes of Liability – 0011– 23 October 2026 contains AV content and copies of official documents recovered from the suspect's phone and translations and transcripts relating to the case.

13. Pre-Trial INCRIM Metadata Update – 6 October 2026 contains witness statements, an investigation report, documents and translations relating to the case.

14. Pre-Trial INCRIM Metadata Update – 20 October 2026 contains copies of official documents, mobile communication and AV content related to the case.

15. Pre-Trial Rule 77 Metadata Update - 20 October 2026 contains AV content recovered from the suspect's phone relating to the case.

16. Pre-Trial Reclassification INCRIM - 0004 - 20 October 2026 contains open source material related to the case.

17. 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.

18. With respect to redactions, the Prosecution has followed the redaction protocol adopted by the Chamber on 3 December 2025[1] for the filing of 6 October 2026 and applied "standard" redactions to the disclosed items. For the disclosures of 20 October 2026 and 23 October 2026, the Prosecution has followed the redaction protocol submitted by the Registry on 12 October 2026[2] and applied "standard" redactions to the disclosed items.



Mame Mandiaye Niang
Acting Prosecutor

Dated this 5th day of November 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.
[2] ICC-01/11-01/25-204+Anx