Cour Pénale Internationale
International Criminal Court

Case Information Sheet

Situation in Libya

Updated: June 2026

The Prosecutor v. Khaled Mohamed Ali El Hishri

ICC-01/11-01/25

Suspected of crimes against humanity and war crimes allegedly committed in Libya between 1 May 2014 and 30 June 2020. Surrendered to the custody of the ICC on 1 December 2025. Initial appearance on 3 December 2025. Confirmation of charges took place on 19-21 May 2026.



Khaled Mohamed Ali El Hishri

Date of birth: 23 June 1978

Nationality: national of Libya

Function(s) at the time of the alleged crimes: senior official of the Mitiga Prison in Libya

Arrest warrant: issued on 10 July 2025

Surrender to ICC Custody: 1 December 2025

Initial appearance: 3 December 2025

Confirmation of charges hearing: 19-21 May 2026

ALLEGED CRIMES

According to the Prosecution's submission of the Document Containing the Charges, Mr El Hishri is suspected of 17 counts of crimes against humanity and war crimes, committed between 1 May 2014 and 30 June 2020:

- imprisonment or other severe deprivation of physical liberty, outrages upon personal dignity, cruel treatment, torture, and other inhumane acts committed against detainees principally at Mitiga Prison, as charged in counts 1-6, and;
- rape and other forms of sexual violence, murder, attempted murder, enslavement, and persecution of certain persons principally at Mitiga Prison, as charged in counts 7-17.

Key judicial developments

REFERRAL AND OPENING OF THE INVESTIGATION

On 26 February 2011, the United Nations Security Council decided unanimously (15 votes in favour) to refer the situation in Libya since 15 February 2011 to the ICC in Resolution 1970 (2011). The ICC may therefore exercise its jurisdiction over crimes listed in the Rome Statute committed on the territory of Libya or by its nationals from 15 February 2011 onwards.

After conducting a preliminary examination of the situation, the ICC Prosecutor concluded, on 3 March 2011, that there is a reasonable basis to believe that crimes under the ICC's jurisdiction have been committed in Libya, since 15 February 2011, and decided to open an investigation in this situation.

On 12 May 2025, Libya accepted of the Court's jurisdiction over its territory from 2011 to the end of 2027.

WARRANT OF ARREST

On 3 April 2025, the Office of the Prosecutor of the ICC applied for an arrest warrant against Mr El Hishri for crimes against humanity and war crimes. Having assessed the material submitted by the Prosecution, Pre-Trial Chamber I found reasonable grounds to believe that Mr Hishri is individually responsible for having committed directly himself, ordered or overseen crimes against humanity and war crimes, including murder, torture, rape and sexual violence, allegedly committed in Libya, in or near Mitiga Prison, from February 2015 to early 2020.

The warrant of arrest against Mr El Hishri was issued under seal by Pre-Trial Chamber I on 10 July 2025 and reclassified as "Public" on 31 July 2025.

On 1 August 2025, the Prosecution filed an appeal concerning the arrest warrant for Mr El Hishri. The Prosecution argued that some legal findings of the Pre-Trial Chamber in the issuance of the arrest warrant were too narrow in scope, excluding additional victims of crimes against humanity and war crimes from the case. The Prosecution, nevertheless, noted that the appeal did not intend to have any

adverse impact upon the validity or effect of the arrest warrant as a whole. On 7 November 2025, the Appeals Chamber found the Prosecution's appeal not admissible. In its decision, the Appeals Chamber considered that the questions raised in the appeal pertain to the merits of the case and stated that nothing in the impugned decision prevents the Prosecution from making further submissions and present additional evidence for the Pre-Trial Chamber to decide upon during the proceedings related to the confirmation of charges.

Surrender to the ICC

On 1 December 2025, Mr El Hishri was surrendered to the International Criminal Court, after being arrested on 16 July 2025 by the authorities of the Federal Republic of Germany pursuant to the warrant of arrest issued by Pre-Trial Chamber I. The suspect had remained in the custody of the German authorities until the completion of the national proceedings as foreseen in article 59 of the Rome Statute. He is currently in ICC custody.

Initial appearance

The initial appearance of Mr El Hishri took place on 3 December 2025 before Pre-Trial Chamber I. The hearing was held in the presence of the Office of the Prosecutor and the Defence. Mr El Hishri was represented during the hearing by Mr Yasser Mohamed Ahmed Hassan. The Chamber verified the identity of the suspect and ensured that he was clearly informed of the crimes he is alleged to have committed and of his rights under the Rome Statute of the ICC in a language he fully understands and speaks. The Chamber also announced the next steps in the proceedings.

Confirmation of charges hearing

The confirmation of charges hearing took place from 19 to 21 May 2026. Over the course of three days, the judges heard oral submissions from the Prosecutor, the Common Legal Representatives of the Victims and the Defence.

The purpose of the confirmation of charges procedure is to determine whether there is sufficient evidence to establish substantial grounds to believe that the person committed the crimes he or she is suspected of. If the charges are confirmed, totally or partly, the case will be transferred to a Trial Chamber, which will conduct the subsequent phase of the proceedings: the trial. The Chamber will issue its decision on the confirmation of charges within 60 days after the confirmation hearing.

Composition of Pre-Trial Chamber I
Judge Iulia Antonella Motoc (Presiding Judge)
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge María del Socorro Flores Liera

Representation of the Office of the Prosecutor
Karim A. A. Khan KC, Prosecutor
Nazhat Shameem Khan, Deputy Prosecutor

Defence Counsel
Mr Yasser Mohamed Ahmed Hassan, Lead Counsel
Mr Iain Edwards, Associate Counsel

Legal Representatives of the Victims
Paolina Massida
Sarah Pellet