

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 1 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
with Confidential Annex 1**

Prosecution's Tenth 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. Between 2 and 30 September 2026, the Prosecution disclosed to the Defence 15 packages of evidence consisting of 300 items of evidence.

- a) Pre-Trial INCRIM - Contextuals/Jurisdiction - 0004 - 2 September 2026; 32 items.
- b) Pre-Trial INCRIM - Crimes - 0005 - 2 September 2026; 21 items.
- c) Pre-Trial INCRIM - Modes of Liability - 0006 - 2 September 2026; 41 items.
- d) Pre-Trial INCRIM - Contextuals/Jurisdiction - 0007 - 7 September 2026; 16 items.
- e) Pre-Trial INCRIM - Modes of Liability - 0008 - 15 September 2026; 3 items.
- f) Pre-Trial INCRIM - Crimes - 0009 - 15 September 2026; 29 items.
- g) Pre-Trial INCRIM - Contextuals/Jurisdiction - 0010 - 15 September 2026; 15 items.
- h) Pre-Trial R77 Crimes package 0004 - 2 September 2026; 28 items.
- i) Pre-Trial R77 Modes of Liability package 0005 - 2 September 2026; 1 items.
- j) Pre-Trial R77 - Modes of Liability - 0006 - 9 September 2026; 92 items.
- k) Pre-Trial R77 - Crimes - 0007 - 15 September 2026; 6 items.
- l) Pre-Trial R77 - Contextuals/Jurisdiction - 0008 - 15 September 2026; 2 items.
- m) Pre-Trial INCRIM – Reclassification 0001 – 2 September 2026; 1 item.
- n) Pre-Trial Reclassification INCRIM - 0002 - 15 September 2026; 2 items.
- o) Pre-Trial INCRIM metadata update package 001 - 2 September 2026; 11 items.

4. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0004 - 2 September 2026 contains UN documents, AV content recovered from the suspect's phone, and a ceasefire agreement.

5. Pre-Trial INCRIM - Crimes - 0005 - 2 September 2026 contains witness statements, open source materials, a UN document, an investigation report, and translations relating to the case.
6. Pre-Trial INCRIM - Modes of Liability - 0006 - 2 September 2026 contains witness statements and witness-related materials and translations, and an investigation report.
7. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0007 - 7 September 2026 contains Libyan governmental documents, NGO reports, and open source materials relating to the case.
8. Pre-Trial INCRIM - Modes of Liability - 0008 - 15 September 2026 contains a witness statement, a screening note, and open source material relating to the case.
9. Pre-Trial INCRIM - Crimes - 0009 - 15 September 2026 contains witness statements, witness-related materials, translations, NGO reports, an investigation report, and open source materials relating to the case.
10. Pre-Trial INCRIM - Contextuals/Jurisdiction - 0010 - 15 September 2026 contains witness statements, UN documents, Libyan government documents, and open source materials relating to the case.
11. Pre-Trial R77 Crimes package 0004 - 2 September 2026 contains investigation reports and open source materials relating to the case.
12. Pre-Trial R77 Modes of Liability package 0005 - 2 September 2026 contains an investigation report.
13. Pre-Trial R77 - Modes of Liability - 0006 - 9 September 2026 contains AV content recovered from the suspect's phone and open source material relating to the case.
14. Pre-Trial R77 - Crimes - 0007 - 15 September 2026 contain open source material relating to the case.
15. Pre-Trial R77 - Contextuals/Jurisdiction - 0008 - 15 September 2026 contains a Libyan government document and an open source item related to the case.
16. Pre-Trial INCRIM – Reclassification 0001 – 2 September 2026 contains a passport photograph.

17. Pre-Trial Reclassification INCRIM - 0002 - 15 September 2026 contains witness-related materials.

18. Pre-Trial INCRIM metadata update package 001 - 2 September 2026 contains UN documents, witness-related materials, and translations of material related to the case.

19. 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.

20. With respect to redactions, the Prosecution has followed the redaction protocol adopted by the Chamber on 3 December 2025¹ and applied “standard” redactions to the disclosed items.

A handwritten signature in black ink, appearing to read 'Mandiaye Niang', with a large, stylized flourish to the left.

Mame Mandiaye Niang
Acting Prosecutor

Dated this 1st day of October 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.