

VRWG BRIEFING NOTE

IMPROVING ACCESSIBILITY AND VICTIM ENGAGEMENT AT ICC HEARINGS

Recommendations ahead of the El Hishri hearing, drawing on lessons from Duterte



MAY 2026



Co-funded by
the European Union

This publication was co-funded by the European Union under the Global Initiative Against Impunity project. Its contents are the sole responsibility of the VRWG secretariat and do not necessarily reflect the views of the European Union.

Victims' Rights Working Group

With the [confirmation of charges](#) hearing against [Khaled Mohamed Ali El Hishri](#) in the Libya situation scheduled to open on 19 May 2026 before the International Criminal Court (ICC), the Victims' Rights Working Group (VRWG), a network of 181 national and international civil society organisations promoting the rights and interests of victims before the ICC, shares this briefing note to support a more accessible, victim-inclusive, and trauma-responsive hearing process. The recommendations below draw on observations from the recent [confirmation of charges](#) hearing in the case against former Philippine President [Rodrigo Duterte](#), held from 23 to 27 February 2026, which was widely attended by members of the Filipino community both at the ICC and at remote viewings in the Philippines. The objective of the recommendations is to offer the Court practical steps that can be implemented for the El Hishri hearing and future ICC proceedings.

The Duterte confirmation of charges hearing marked a significant [moment for victims](#), survivors, affected communities, and human rights defenders in the Philippines. The participation of Philippine civil society organisations (CSOs), victims' groups, and journalists, both in person and remotely, provided important insights into how ICC hearings are experienced by those most directly affected. While several good practices were observed, including engagement opportunities between Court officials and civil society, the hearing also highlighted challenges related to accessibility, communication, and the experience of victims and affected communities attending the proceedings.

These lessons are particularly relevant ahead of the El Hishri hearing. ICC hearings are not only legal proceedings; they are also moments when victims, affected communities, civil society, and the wider public assess whether international justice is accessible, understandable, and responsive. Victims and affected communities are among the Court's most important constituencies and strongest sources of legitimacy and support. Practical measures on accessibility, trauma-informed engagement, outreach, clarity for victims, and protection should therefore be treated as core components of meaningful justice, not logistical afterthoughts.

The recommendations are organised around five themes: (1) strengthening accessibility for affected communities; (2) ensuring trauma informed engagement with victims and families attending hearings; (3) improving outreach and countering disinformation; (4) clarifying information relevant to victims' participation and reparations; and (5) reinforcing witness protection measures in sensitive political contexts.

Across these themes, these observations point to the **need for clear, consistent ICC protocols for engaging with victims and survivors who attend proceedings**, whether in person or remotely, and for these protocols to be widely disseminated to support a more accessible, victim-inclusive experience.

1. Strengthen accessibility of hearings for affected communities

CSOs from the Philippines who attended the Duterte confirmation of charges hearing in person were able to engage meaningfully with officials and representatives from different Court organs, share their expertise, and pose questions and offer feedback. These interactions strengthened the Court's connection with affected communities.

To further strengthen accessibility, the Court should:

- Continue this good practice of co-organising a series of meetings between the relevant Court organs and CSOs, facilitated through the Court's Protocol team and the Coalition for the ICC (CICC) for future hearings and trials.
- Encourage ICC Judges, where possible, to conduct hearings in the language most widely understood in the situation country.
- Ensure hearings and trials are interpreted into relevant local language(s), as opposed to only in English and French (which occurred during Duterte's confirmation of charges hearing), so that affected communities can meaningfully follow proceedings both in the Public Gallery and during remote screenings of ICC hearings, which are increasingly facilitated by local CSOs.

2. Ensuring safe and trauma-informed viewing of the hearings in the ICC Public Gallery

As underlined by Dr. Aurora Corazon Parong, co-chair of the Philippine CICC, "the process of listening and attending hearings is part of the healing process for victims and their families". For many attendees of Duterte's confirmation of charges hearing – including victims, families of victims, CSO representatives, and journalists – this was their first time attending an ICC hearing. Several participants reported uncertainty about the judicial proceedings as well as the rules in the Public Gallery. Some faced distressing experiences, including families of victims being told by ICC security that emotional reactions such as crying were not permitted, not knowing if they could leave the Public Gallery when they felt overwhelmed, and unexpected exposure to graphic images and testimonies.

To ensure hearings are conducted in a manner that respects the needs of victims and affected communities, and protects their safety, dignity, and wellbeing, as well as avoids secondary or repeat traumatising, the ICC should:

- Ensure that all ICC staff, including security personnel, receive orientation and training on trauma-informed approaches when conducting, engaging in, or organising hearings and when engaging with hearing attendees, and are reminded that victims and their families may be attending the hearing and should be treated with sensitivity and respect.
- Develop a short informational video crafted in accessible languages and shown in the Public Gallery before each hearing, presenting:
 - The type and purpose of the hearing and the roles of the different parties.
 - The rules of conduct in the Public Gallery during the hearing, including dos and don'ts.
 - The rights of attendees, including their right to express emotions and leave the Public Gallery if they feel overwhelmed.
 - Expected content and the potential for graphic material to prevent inadvertent re-traumatisation.
- Avoid sharing graphic material with the Public Gallery to the extent possible, and where not absolutely necessary to follow the substance of the hearing. If graphic material is shown, the person introducing such material should indicate clearly it is about to be shown.
- Develop a protocol outlining steps to take in case attendees feel overwhelmed, such as where to go, who to inform, and which support services are available. The information can be general and not necessarily tailored to specific hearings but should be available in the local language(s) of affected communities and shared ahead of the hearing in varied and accessible formats.
- Develop a protocol for the safe attendance of victims and their families at hearings at the Court, which may include information about registration, badging, and security procedures, the personal identification documentation required for entry at the Court, the availability of separate entrances into the Court, access to separate viewing rooms for hearings or areas of the Public Gallery where survivors can be seated without appearing on screen, access to private meeting rooms for secure discussion, and the availability of psychosocial support throughout hearings. This could fall under the purview of the Victims and Witnesses Section (VWS) which would share the protocol with LRVs and relevant CSOs.

- Make the VWS' security recommendations regarding victims' participation in hearings publicly available.
- Ensure the VWS can provide a therapist on call during hearings in case affected communities require urgent support.
- Provide, through VPRS, clear guidance to CSOs and victims on the steps to follow in the event of security incidents at or around the Court.

3. Strengthen outreach, access to information, and counter disinformation

In order to counter misinformation and ensure information is accessible to affected communities and the media, the ICC should:

- Ensure that decisions likely to generate mis/disinformation are explained clearly and accessibly to affected communities and the media. For example, the decision allowing Duterte not to attend the confirmation of charges hearing led to disinformation about his status, health, and presence in the detention centre. Additionally, as this was only the second instance in the Court's history (and the first since 2010) of a voluntary waiver of the right to attend a confirmation of charges hearing in person, there were also misconceptions that this was a special allowance or exception afforded to Duterte. The ICC could publish short explanations on its social media channels clarifying the legal basis for decisions that lead to novel, uncommon, or individualised outcomes.
- The Court should develop one-page information documents that explain key procedures and stages of the proceedings. These materials should be easily shareable through media and CSO networks.
- The Court can collaborate with CSOs on the development of such materials or help disseminate those already developed, as was done in the past (for instance [here](#) and [here](#)).

4. Ensure clarity for victims

In order for victims to understand the impact of charged crimes on their access to reparations and to ensure a victim-centred approach to notifying the public of charges, the ICC should:

- Provide, through VPRS, clear communication, including through social media, on which crimes may form the basis for reparation claims.

- Highlight the broader pattern of alleged crimes that may not be formally charged in contextual information shared with the public to ensure victims of other crimes see their experiences recognised by the Court.

5. Strengthen victim and witness protection and anticipate political developments

Where political changes are anticipated in a given context that may affect the future safety of victims and witnesses cooperating with the Court, the ICC should:

- Engage proactively with States Parties to ensure cooperation on witness and victim protection matters and their support for the Court and the VWS in relocating witnesses and victims at risk within their territories.
- Engage proactively with local civil society to stay informed of political developments and their impact within the country and diaspora.