

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/21-01/25**

Date: **5 May 2025**

PRE-TRIAL CHAMBER I

Before: Judge Iulia Antoanella Motoc, Presiding Judge
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge María del Socorro Flores Liera

SITUATION IN THE REPUBLIC OF THE PHILIPPINES

IN THE CASE OF *THE PROSECUTOR* v. *RODRIGO ROA DUTERTE*

Public

with Confidential Annexes A, B, C and D

Prosecution's Second 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

☐ **Counsel Support Section**

M. Osvaldo Zavala Giler

☒ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations
Section**

☐ **Other**

I. NOTIFICATION

1. The Prosecution submits this communication regarding the disclosure of evidence to the Defence, pursuant to articles 61(3)(b) and 67(1)(a) and (b) of the Statute, and rules 76(3) and 77 of the Rules of Procedure and Evidence.

II. CONFIDENTIALITY

2. The Annex to this filing is classified as “Confidential” as it refers to confidential evidence disclosed *inter partes*.

III. DISCLOSURE OF EVIDENCE

3. On 30 April 2025, the Prosecution disclosed to the Defence 139 items, organised under four disclosure packages:

- a) Pre-Confirmation INCRIM Package 002: Crimes Against Humanity – Contextual Elements (28 items listed in Confidential Annex A);
- b) Pre-Confirmation INCRIM Package 003: Crimes Against Humanity – Modes of Liability (85 items listed in Confidential Annex B);
- c) Pre-Confirmation INCRIM Package 004: Crimes Against Humanity – Murder – Davao City, Mayoral Period (1 item listed in Confidential Annex C); and
- d) Pre-Confirmation INCRIM Package 005: Crimes Against Humanity – Murder – Barangay Clearance Operations, Presidential Period (15 items listed in Confidential Annex D).

4. These items comprise documentary material cited in the Warrant of Arrest for Mr Rodrigo Roa Duterte.¹

5. The Prosecution applied “standard” redactions pursuant to the protocol adopted by Pre-Trial Chamber I in its Order on the conduct of confirmation proceedings.²

¹ Warrant of Arrest for Mr Rodrigo Roa Duterte, ICC-01/21-83.

² Order on the conduct of confirmation proceedings, ICC-01/21-01/25-114, para. 11.

A handwritten signature in blue ink, consisting of a stylized 'K' followed by a horizontal line and a dot.

Karim A. A. Khan KC, Prosecutor

Dated this 5th day of May 2025

At The Hague, the Netherlands