

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **25 August 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

Prosecution's observations on the organisation of the hearing on the confirmation of charges

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. SUBMISSIONS

1. The Chamber has requested that the Prosecution provide “the estimated time [it] would need for [its] oral presentation, including opening and final statements” as well as “what [the Prosecution] intends to use such time for, bearing in mind the scope of the case, the number of charges and the need to ensure the overall representativeness of the submissions while preserving the limited purpose of the hearing”.¹

A. Time allocation

2. The Prosecution anticipates requiring approximately 4 hours to present its case orally at the confirmation of charges hearing, based on the following breakdown: 30 minutes for an opening statement, 180 minutes for submissions on the merits, and 30 minutes for final observations pursuant to rule 122(8) of the Rules of Procedure and Evidence.

B. The Prosecution’s presentation

3. The Prosecution intends to use its time to make submissions regarding, *inter alia*, the modes of liability, contextual elements, and the charged crimes set out in the Document Containing the Charges and further detailed in the Pre-Confirmation Brief. The Prosecution will endeavour to ensure that its presentation is public as much as possible, though may require to enter into private session at times in order to ensure that victim and witness identities are protected.

4. The Prosecution intends to use visual aids such as PowerPoint and videos during its presentation. The Prosecution will liaise directly with the Court Management Section in advance of the hearing to prepare for the use of any visual aids during the hearing.

5. The Prosecution respectfully recommends that final observations by all parties and participants be limited to responding to arguments raised during the hearing and/or any additional questions from the Chamber. No further response in writing on the merits should be considered necessary or permitted at this stage of the proceedings, including after the confirmation hearing.

¹ Order for observations on the organisation of the hearing on the confirmation of charges, 14 August 2025 at 15:25h.

A handwritten signature in black ink, appearing to read 'Mandiaye Niang', written over a horizontal line.

Mame Mandiaye Niang, Deputy Prosecutor

Dated this 25th day of August 2025

At The Hague, the Netherlands