

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/21-01/25**
Date: **24 December 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 and C

**Prosecution's Notification of the Disclosure of Evidence between 7 July and 18
December 2025**

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 1 July 2025, the Prosecution completed its disclosure for purposes of the confirmation hearings pursuant to the Pre-Trial Chamber Order on the conduct of the confirmation proceedings.¹

4. Between 7 July and 18 December 2025, the Prosecution disclosed to the Defence 1,303 items of evidence. Of these items disclosed, 906 are classified as INCRIM, 389 are classified as Rule 77 evidence and 8 are classified as PEXO.

5. The items disclosed by the Prosecution during the aforementioned period are outlined in the following annexes:

- a) Confidential Annex A: List of 906 items contained in the following Pre-Confirmation INCRIM packages:-
 - i. Pre-Confirmation INCRIM package 039 07 July 2025: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (5 items);
 - ii. Pre-Confirmation INCRIM package 040 17 July 2025: Crimes Against Humanity – Contextual Elements (2 items);
 - iii. Pre-Confirmation INCRIM package 041 24 July 2025: Crimes Against Humanity – Modes of Liability (26 items);

¹ Order on the conduct of confirmation proceedings, ICC-01/21-01/25-114, para 24

- iv. Pre-Confirmation INCRIM package 042 27 August 2025: Ad Hoc Disclosure – Material related to Prosecution filing (4 items listed in Confidential Annex F);
- v. Pre-Confirmation INCRIM package 043 27 August 2025: Miscellaneous (38 items);
- vi. Pre-Confirmation INCRIM package 044 11 September 2025: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (6 items);
- vii. Pre-Confirmation INCRIM package 045 11 September 2025: Crimes Against Humanity – Modes of Liability (4 items);
- viii. Pre-Confirmation INCRIM package 046 11 September 2025: Crimes Against Humanity – Murder – High Value Targets – Presidential Period (1 item);
- ix. Pre-Confirmation INCRIM package 047 2 October 2025: Crimes Against Humanity – Modes of Liability and Contextual Elements (2 items);
- x. Pre-Confirmation INCRIM package 048 2 October 2025: Crimes Against Humanity – Contextual Elements (8 items);
- xi. Pre-Confirmation INCRIM package 049 14 November 2025: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (11 items);
- xii. Pre-Confirmation INCRIM package 050 14 November 2025: Crimes Against Humanity – Murder – High Value Targets – Presidential Period (3 items);
- xiii. Pre-Confirmation INCRIM package 051 14 November 2025: Crimes Against Humanity – Modes of Liability (9 items);
- xiv. Pre-Confirmation INCRIM package 052 14 November 2025: Crimes Against Humanity – Murder – High Value Targets – Presidential Period (6 items);

- xv. Pre-Confirmation INCRIM package 053 20 November 2025: Crimes Against Humanity – Contextual Elements (6 items);
- xvi. Pre-Confirmation INCRIM package 054 20 November 2025: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (767 items); and
- xvii. Pre-Confirmation INCRIM package 055 20 18 December 2025: Crimes Against Humanity – Modes of Liability (8 items)

b) Confidential Annex B: List of 389 items contained in the following Pre-Confirmation Rule 77 packages:-

- i. Pre-Confirmation Rule 77 package 012 10 July 2025: Contextual Elements – background information – material for the preparation of the Defence (43 items)
- ii. Pre-Confirmation Rule 77 package 013 24 July 2025: Contextual Elements – background information – material for the preparation of the Defence (7 items);
- iii. Pre-Confirmation Rule 77 package 014 27 August 2025: Contextual Elements – background information – material for the preparation of the Defence (9 items);
- iv. Pre-Confirmation Rule 77 package 015 27 August 2025: Contextual Elements – background information – material for the preparation of the Defence (13 items);
- v. Pre-Confirmation Rule 77 package 016 11 September 2025: Contextual Elements – background information – material for the preparation of the Defence (5 items);
- vi. Pre-Confirmation Rule 77 package 017 02 October 2025: Contextual Elements – background information – material for the preparation of the Defence (5 items);

- vii. Pre-Confirmation Rule 77 package 018 09 October 2025: Contextual Elements – background information – material for the preparation of the Defence (6 items);
 - viii. Pre-Confirmation Rule 77 package 019 29 October 2025: Contextual Elements – background information – material for the preparation of the Defence (3 items);
 - ix. Pre-Confirmation Rule 77 package 020 14 November 2025: Contextual Elements – background information – material for the preparation of the Defence (20 items);
 - x. Pre-Confirmation Rule 77 package 021 20 November 2025: Contextual Elements – background information – material for the preparation of the Defence (261 items);
 - xi. Pre-Confirmation Rule 77 package 022 4 December 2025: Contextual Elements – background information – material for the preparation of the Defence (12 items); and
 - xii. Pre-Confirmation Rule 77 package 023 18 December 2025: Contextual Elements – background information – material for the preparation of the Defence (5 items).
- c) Confidential Annex C: List of 8 Items contained in the following Pre-Confirmation PEXO packages:-
- i. Pre-Confirmation PEXO package 006 4 December 2025: Information suggesting a line of Defence (7 items); and
 - ii. Pre-Confirmation PEXO package 007 18 December 2025: Information suggesting a line of Defence (1 item).

6. The Prosecution affirms that it does not intend to rely on any of the material disclosed after 1 July 2025 for the confirmation of charges hearings.

A handwritten signature in black ink, appearing to read 'Mandiaye Niang', written diagonally across the page.

Mame Mandiaye Niang, Deputy Prosecutor

Dated this 24th day of December 2025

At The Hague, the Netherlands