

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/21-01/25**
Date: **05 August 2026**

TRIAL CHAMBER III

Before: Judge Joanna Korner, Presiding Judge
Judge Keebong Paek
Judge Nicolas Guillou

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 January and 31 July
2026**

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 Annexes to this filing are classified as “Confidential” as they refer to confidential evidence disclosed *inter partes*.

III. DISCLOSURE OF EVIDENCE

3. Between 7 January and 31 July 2026, the Prosecution disclosed to the Defence 6,909 items of evidence. Of the items disclosed, 2,279 are classified as INCRIM, 4,573 are classified as Rule 77, and 57 are classified as PEXO.¹

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

- a) Confidential Annex A: List of 2,279 items contained in the following INCRIM packages:
 - i. Pre-Confirmation INCRIM package 056 29 January 2026: Crimes Against Humanity – Contextual Elements (26 items);
 - ii. Pre-Confirmation INCRIM package 057 05 February 2026: Crimes Against Humanity – Modes of Liability (16 items);
 - iii. Pre-Confirmation INCRIM package 058 05 February 2026: Crimes Against Humanity – Contextual Elements (7 items);
 - iv. Pre-Confirmation INCRIM package 059 05 February 2026: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (7 items);
 - v. Pre-Confirmation INCRIM package 060 05 February 2026: *Ad Hoc* Disclosure – Material Related to a Prosecution Filing (4 items);

¹ These categorisations indicate the predominant classification of a disclosed item, which may contain a combination of INCRIM, Rule 77 and PEXO evidence, which is marked in accordance with E-Court Protocol.

- vi. Pre-Confirmation INCRIM package 061 12 February 2026: Crimes Against Humanity – Murder – Davao Death Squad – Mayoral Period (7 items);
- vii. Pre-Confirmation INCRIM package 062 12 February 2026: Crimes Against Humanity – Modes of Liability (11 items);
- viii. Pre-Confirmation INCRIM package 063 12 February 2026: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (1 item);
- ix. Pre-Confirmation INCRIM package 064 12 February 2026: Crimes Against Humanity – Murder – High Value Targets – Presidential Period (2 items);
- x. Pre-Confirmation INCRIM package 065 17 February 2026: Crimes Against Humanity – Murder – High Value Targets – Presidential Period (1 item);
- xi. Pre-Confirmation INCRIM package 066 02 April 2026: Crimes Against Humanity – Murder – Davao Death Squad – Mayoral Period and Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (67 items);
- xii. Pre-Trial INCRIM package 001 (CAH - Context) 08 June 2026: Crimes Against Humanity – Contextual Elements (2 items);
- xiii. Pre-Trial INCRIM package 001 (CAH - MOL) 08 June 2026: Crimes Against Humanity – Modes of Liability (6 items);
- xiv. Pre-Trial INCRIM package 001 (CAH - Murder - BCO) 08 June 2026: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (7 items);
- xv. Pre-Trial INCRIM package 001 (CAH - Murder - DDS) 08 June 2026: Crimes Against Humanity – Murder – Davao Death Squad – Mayoral Period 39 items);
- xvi. Pre-Trial INCRIM package 001 (CAH - Murder - HVT) 08 June 2026: Crimes Against Humanity – Murder – High Value Targets – Presidential Period (1 item);

- xvii. Pre-Trial INCRIM package 002 (CAH - Murder - DDS) 11 June 2026: Crimes Against Humanity – Murder – Davao Death Squads – Mayoral Period (110 items);
- xviii. Pre-Trial INCRIM package 003 (CAH - Murder - BCO) 16 June 2026: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (26 items);
- xix. Pre-Trial INCRIM package 004 (CAH - MOL) 19 June 2026: Crimes Against Humanity – Modes of Liability (40 items);
- xx. Pre-Trial INCRIM package 005 (CAH - Contextual elements - Murder - HVT) 19 June 2026: Crimes Against Humanity – Murder – High Value Targets – Presidential Period (86 items);
- xxi. Pre-Trial INCRIM package 006 (CAH - Murder - BCO) 2 July 2026: Crimes Against Humanity – Murder – Barangay Clearance Operations – Presidential Period (58 items);
- xxii. Pre-Trial INCRIM package 007 (CAH - Contextual - MOL - Murder HVT) 13 July 2026: Against Humanity – Modes of Liability - Murder – High Value Targets – Presidential Period (16 items);
- xxiii. Pre-Trial INCRIM package 008 (CAH - Contextual - MOL - Murder BCO) 13 July 2026: Crimes Against Humanity – Modes of Liability – Barangay Clearance Operations – Presidential Period (27 items);
- xxiv. Pre-Trial INCRIM package 009 17 July 2026: Crimes Against Humanity - Contextual Elements - Murder – Barangay Clearance Operations & DDS (28 items);
- xxv. Pre-Trial INCRIM package 010 27 July 2026: Crimes Against Humanity – Contextual Elements (106 items);
- xxvi. Pre-Trial INCRIM package 011 27 July 2026: Crimes Against Humanity – Modes of Liability – Contextual Elements – Murder – Barangay Clearance Operations – Presidential Period (404 items);

- xxvii. Pre-Trial INCRIM package 012 27 July 2026: Crimes Against Humanity – Contextual Elements (1,081 items); and
 - xxviii. Pre-Trial INCRIM package 013 31 July 2026: Crimes Against Humanity – Contextual Elements - Murder – Davao Death Squads - High Value Targets – Barangay Clearance Operations (93 items).
- b) Confidential Annex B: List of 4,573 items contained in the following Rule 77 packages:
- i. Pre-Confirmation Rule 77 package 024 07 January 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (5 items);
 - ii. Pre-Confirmation Rule 77 package 025 23 January 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (2 items);
 - iii. Pre-Confirmation Rule 77 package 026 29 January 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (52 items);
 - iv. Pre-Confirmation Rule 77 package 027 05 February 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (2 items);
 - v. Pre-Confirmation Rule 77 package 028 05 February 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (1 item);
 - vi. Pre-Confirmation Rule 77 package 029 02 April 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (3 items);
 - vii. Pre-Trial R77 package 001 (Witness Material) 08 June 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (9 items);

- viii. Pre-Trial Rule 77 package 002 11 June 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (2 items);
- ix. Pre-Trial Rule 77 package 003 16 June 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (122 items);
- x. Pre-Trial Rule 77 package 004 19 June 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (868 items);
- xi. Pre-Trial Rule 77 package 005 25 June 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (1,587 items);
- xii. Pre-Trial Rule 77 package 006 2 July 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (154 items);
- xiii. Pre-Trial Rule 77 package 007 02 July 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (400 items);
- xiv. Pre-Trial Rule 77 package 008 2 July 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (399 items);
- xv. Pre-Trial Rule 77 package 009 13 July 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (473 items);
- xvi. Pre-Trial Rule 77 package 010 17 July 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (264 items); and

xvii. Pre-Trial Rule 77 package 011 31 July 2026: Contextual Elements – Background Information – Material for the Preparation of the Defence (233 items).

c) Confidential Annex C: List of 57 items contained in the following PEXO packages:

- i. Pre-Confirmation PEXO package 008 29 January 2026: Information that Could Undermine the Credibility of a Witness (1 item);
- ii. Pre-Confirmation PEXO package 009 05 February 2026: Information that Could Undermine the Credibility of a Witness (1 item);
- iii. Pre-Confirmation PEXO package 010 12 February 2026: Information that Could Undermine the Credibility of a Witness (1 item);
- iv. Pre-Confirmation PEXO package 011 19 February 2026: Information that Could Undermine the Credibility of a Witness (1 item);
- v. Pre-Trial PEXO package 001 (Witness Material) 08 June 2026: Information that Could Undermine the Credibility of a Witness (2 items);
- vi. Pre-Trial PEXO package 002 13 July 2026: Information that Suggests a Line of Defence (3 items); and
- vii. Pre-Trial PEXO package 003 31 July 2026: Information that Suggests a Line of Defence (48 items).



Mame Mandiaye Niang, Deputy Prosecutor

Dated this 5th day of August 2026

At The Hague, the Netherlands