

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **31 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*

Confidential

Prosecution's submission on an amendment of the E-Court Protocol

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. INTRODUCTION

1. Further to the Chamber's instruction,¹ the Prosecution hereby provides its submission on amending the E-Court Protocol adopted in this case.²

II. CLASSIFICATION

2. Pursuant to regulation 23*bis*(2) of the Regulations of the Court, this filing is classified as confidential as it refers to an order of the same classification.

III. SUBMISSIONS

3. On 25 August 2026, the Prosecution emailed the Chamber to seek approval for the creation of a URL metadata field in Nuix Discover.³ As noted by the Prosecution, the addition of this field will allow the Chamber, the parties and the participants to easily identify the URL associated with the open source evidence at the time it was captured.⁴

4. The Prosecution submits, as discussed with the Defence through *inter partes* communications,⁵ that this addition could be accomplished by adding the following row to the "Table 1 (potential) evidentiary materials" chart found at paragraph 32 of the E-Court Protocol:

Field Name	Data Type	Explanation	Example	One to
URL	Memo	Uniform resource locator: The original web address from which the item was collected.	https://www.icc-cpi.int/	ONE

5. The Defence⁶ and Legal Representative of the Victims (the "LRVs")⁷ agree to this amendment and the Registry has confirmed that this update can be implemented in Nuix

¹ Confidential Order regarding the Prosecution and the Defence's emails concerning NUIX and E-Court Protocol, Email from Trial Chamber III to the Prosecution, Defence and Legal Representative for Victims, 26 August 2026 at 12:51 hrs. The Prosecution and Defence have consulted pursuant to the Chamber's instruction but could not reach agreement on additional proposed amendments. The Prosecution has therefore filed individually.

² Annex to the Registry's Report Pursuant to the Chamber's Oral Decision issued on 27 May 2026 on Consultations with Parties and Participants Regarding the 'E-Court Protocol', 17 June 2026, [ICC-01/21-01/25-469-Anx.](#)

³ Email from the Prosecution to Trial Chamber III, 25 August 2026 at 15:00 hrs ("Email from Prosecution to Chamber").

⁴ Email from the Prosecution to Trial Chamber III, 25 August 2026 at 15:00 hrs.

⁵ 28 August Email from Defence to Prosecution.

⁶ Email from Defence to Prosecution, 31 August 2026 at 10:29 hrs; Email from Defence to Trial Chamber III, 25 August 2026 at 15:54 hrs; Email from Defence to the Prosecution, 28 August 2026 at 09:46 hrs ("28 August Email from Defence to Prosecution").

⁷ Email from Legal Representative of Victims to the Prosecution and Defence, 31 August 2026 at 10:36 hrs.

Discover. The Prosecution thanks the Defence, the LRVs and the Registry for their cooperation on this matter.

IV. REQUESTED RELIEF

6. The Prosecution requests that the Chamber grant its request to amend the E-Court Protocol as set out above.

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

Mame Mandiaye Niang, Deputy Prosecutor

Dated this 31st day of August 2026

At The Hague, the Netherlands