

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **2 October 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, with Confidential Annex A

Prosecution's Submission Pursuant to the Trial Chamber's Order of 1 October 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

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☐ **Counsel Support Section**

M. Osvaldo Zavala Giler

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations
Section**

☐ **Other**

I. INTRODUCTION

1. On 22 September 2026 the Defence filed its motion pursuant to an order of Trial Chamber III (“Chamber”)¹ and on 29 September 2026 the Prosecution filed its response.²
2. On 1 October 2026, the Chamber ordered the Prosecution to file a copy of the proposed agreed facts referred to in its response by no later than noon 2 October 2026.³

II. CONFIDENTIALITY

3. This filing is classified as confidential pursuant to regulations 23*bis* (2) of the Regulations of the Court as it refers to filings of the same classification.

III. SUBMISSIONS

4. The Prosecution hereby files a copy of the proposed agreed facts, as sent to the Defence, and referred to in paras 2(i) and 15 of its response, as Confidential Annex A pursuant to the Chamber’s order.⁴

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

Mame Mandiaye Niang, Acting Prosecutor

Dated this 2nd day of October 2026

At The Hague, the Netherlands

¹ Confidential Defence Motion Pursuant to an Order of the Trial Chamber, 22 September 2026, ICC-01/21-01/25-507-Conf (public redacted version filed on 25 September 2026, [ICC-01/21-01/25-507-Red](#)).

² Prosecution’s Response to Defence Motion Pursuant to an Order of the Trial Chamber, 29 September 2026, ICC-01/21-01/25-510-Conf.

³ [ICC-01/21-01/25 - Confidential] Order of the Chamber in relation to agreed facts, 1 October 2026 at 14:51 hrs, ordering the Prosecution to file the proposed agreed facts referred to in its response.

⁴ Confidential Annex A, proposed set of agreed facts.