

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/21-01/25**
Date: **12 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*

Public with Confidential Annex A

Public Redacted Version of “Prosecution’s submission of its List of Evidence dated 6 October 2026”, 7 October 2026, ICC-01/21-01/25-517-Conf

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 order of the Chamber,¹ the Prosecution hereby files its updated List of Evidence, which was emailed to the Chamber on 6 October 2026,² as Annex A.

II. CONFIDENTIALITY

2. Pursuant to regulation 23*bis*(1) of the Regulations of the Court, this submission and the appended Annex A are filed as confidential as they include sensitive information related to Prosecution witnesses and sources.

III. SUBMISSIONS

3. The Prosecution has restructured the List of Evidence in order to provide a clearer understanding of the categories of evidence the Prosecution seeks to rely upon. There are seven categories:

- (i) **first**, materials cited in the Prosecution's Trial Brief and Annexes;
- (ii) **second**, material related to trial witnesses;
- (iii) **third**, speeches by Mr Duterte and other co-perpetrators;
- (iv) **fourth**, materials from specific collections (datasets):
 - i. the [REDACTED] dataset [REDACTED];
 - ii. [REDACTED] material dataset [REDACTED];
 - iii. the [REDACTED] dataset (PNP records related to killings in PNP anti-drug operations and other drug related killings during the charged period received from [REDACTED]);³
- (v) **fifth**, materials received from [REDACTED] and non-governmental organisations;
- (vi) **sixth**, open source material; and

¹ Transcript of 16 September 2026 Status Conference, 16 September 2026, ICC-01/21-01/25-T-011-CONF-ENG, p. 18, lines 17-22; [ICC-01/21-01/25 Confidential] Order regarding the Prosecution's restructured List of Evidence, Email from Trial Chamber III to Prosecution, 7 October 2026 at 11:28 hrs.

² [ICC-01/21-01/25 Confidential] - Prosecution's restructured List of Evidence further to the Order of the Trial Chamber, Email from Prosecution to Trial Chamber III, 6 October 2026 at 22:34 hrs.

³ The items in this [REDACTED] dataset are divided by material outside the scope of the proposed agreed facts and material within the scope of the proposed agreed facts.

(vii) **seventh**, other materials.

4. The Prosecution considers that the first category, materials cited in the Prosecution's Trial Brief and Annexes, includes the "key items of evidence" in its case.⁴

5. The Prosecution further reviewed its List of Evidence following the September status conference and has, to date, removed 253 items. As indicated, should the Defence agree to the proposed agreed facts in relation to the [REDACTED] collection, the Prosecution would remove almost 7,000 items from its List of Evidence.

A handwritten signature in black ink, appearing to read 'Mandiaye Niang', with a large, stylized flourish on the left side.

Mame Mandiaye Niang, Acting Prosecutor

Dated this 12th day of October 2026

At The Hague, the Netherlands

⁴ Transcript of 16 September 2026 Status Conference, 16 September 2026, ICC-01/21-01/25-T-011-CONF-ENG, p. 18, lines 17-22.