

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

No.: **ICC-01/21-01/25**
Date: **21 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 third application under rule 68(3) to introduce into evidence prior recorded testimonies of witnesses P-0008, P-1164, and P-1303”, 19 October 2026, ICC-01/21-01/25-524-Conf

Source: Office of the Prosecutor

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☒ **Counsel for the Defence**

☒ **Legal Representatives of the Victims**

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(Participation/Reparation)**

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☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations
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I. INTRODUCTION

1. The Prosecution requests the formal submission of the transcripts and associated material (“Prior Recorded Testimonies”)¹ of P-0008, P-1164, and P-1303 (“Three Witnesses”) in accordance with article 69(2) and (4) of the Rome Statute (the “Statute”), rule 68(3) of the Rules of Procedure and Evidence (the “Rules”), and the “Directions on the Conduct of Proceedings” (the “Directions”).² The Prosecution further requests leave to conduct a focused *viva voce* supplementary examination of each witness, as detailed below.

2. Granting the request will enhance the expeditiousness of the proceedings by reducing the length of the witnesses’ direct examination from [REDACTED] hours to [REDACTED] hours, thus saving at least [REDACTED] hours of court time.

3. The Prior Recorded Testimonies of the Three Witnesses are relevant, reliable, and probative. P-0008, P-1164, and P-1303 are [REDACTED] witnesses who provide evidence about multiple murders charged under Count 3. As such, P-0008 and P-1164’s evidence is particularly relevant to the *modus operandi* and pattern of violence used against alleged criminals by the police [REDACTED], as charged in Count 3, in particular, for P-0008, Incidents [REDACTED] and [REDACTED], and for P-1164, Incidents [REDACTED] and [REDACTED]. P-1303’s evidence is particularly relevant to the proof of Count 3 murders committed by personnel from [REDACTED], and in particular, to Incident [REDACTED]. The Three Witnesses’ evidence further goes to the proof of the contextual elements of crimes against humanity and to the policy to ‘neutralise’ through violent crimes, including murder, alleged criminals in the Philippines.

4. The introduction into evidence of the Prior Recorded Testimonies is not prejudicial to or inconsistent with the rights of the Accused, as the witnesses will be available for cross examination by the Defence and any further questioning by the Chamber, the parties, and the Common Legal Representatives of Victims (the “CLRV”).

II. CONFIDENTIALITY

¹ Annex A (A1 to A3) lists the Prior Recorded Testimonies of P-0008, P-1164, and P-1303, which comprise their hyperlinked witness transcripts (at I) and associated material (at II). The material related to the witness’s Prior Recorded Testimony which the Prosecution does not seek to introduce into evidence, is also included (at III). See Directions on the conduct of proceedings, 19 June 2026, ICC-01/21-01/25-471, (“Directions”), para. 59.

² The Directions, ICC-01/21-01/25-471, para. 59.

5. Pursuant to regulation 23bis(1) of the Regulations of the Court, this application and its Annex are filed as confidential, as they contain sensitive witness related information. A public redacted version of the application will be filed as soon as practicable.

III. SUBMISSIONS

A. Legal Basis

6. The Prosecution incorporates by reference its summary of the applicable law as set out in paragraphs six to ten of its first application under rule 68(3).³ The Prosecution also recalls that the Chamber has explicitly encouraged the use of rule 68(3).⁴

B. Overview of the Prior Recorded Testimonies of P-0008, P-1164, and P-1303

7. The Prior Recorded Testimonies of the Three Witnesses may be introduced under rule 68(3). Each witness will attest to their accuracy, be present in court, and available for examination by the Parties, the Chamber, and the CLRV. Their evidence is highly relevant and probative, as set out below.

(i) Prior Recorded Testimony of P-0008

8. P-0008's Prior Recorded Testimony consists of the witness's four-day interview of [REDACTED], of the witness's three-day interview of [REDACTED], and of the associated material that was used or explained by the witness during her interview and is listed in confidential Annex A1.

9. P-0008 was [REDACTED]. In her Prior Recorded Testimony, the witness describes extrajudicial killings perpetrated by police [REDACTED] and provides details of Incidents [REDACTED], and [REDACTED], perpetrated in [REDACTED].

10. More specifically, P-0008 speaks about: (i) the killing of [REDACTED]⁵ during a [REDACTED], as charged in Incident [REDACTED];⁶ (ii) the killing of [REDACTED]⁷ during a One Time Big Time ("OTBT") operation, as charged in Incident [REDACTED], and comments upon [REDACTED] this incident;⁸ (iii) the killing of [REDACTED], as charged in

³ ICC-01/21-01/25-484-Red, paras. 6-10.

⁴ ICC-01/21-01/25-T-009-Red-Eng, p. 13, lines 15-21.

⁵ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

⁶ P-0008, PHL-OTP-00000593 at 0010-0014, lines 311-457.

⁷ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

⁸ P-0008, PHL-OTP-00000597 at 0004-0007, lines 73-179; PHL-OTP-00000605 at 0006-0010, lines 153-290; PHL-OTP-00000610 at 0008-0009, lines 235-272; Audio PHL-OTP-00019034 (Translation PHL-OTP-00092386).

Incident [REDACTED];⁹ (iv) the killing of [REDACTED],¹⁰ as charged in Incident [REDACTED], and comments upon [REDACTED];¹¹ (v) the killing of [REDACTED],¹² as charged in Incident [REDACTED], and comments upon [REDACTED] this incident;¹³ (vi) the killing of [REDACTED],¹⁴ as charged in Incident [REDACTED] - P-0008 describes [REDACTED] at the time and explains that [REDACTED];¹⁵ (vii) the killing of [REDACTED],¹⁶ as charged in Incident [REDACTED] - P-0008 describes [REDACTED] prior to his murder;¹⁷ (viii) the killing of [REDACTED]¹⁸, as charged in Incident [REDACTED], and comments upon [REDACTED] this incident - P-0008 describes how [REDACTED] prior to his murder;¹⁹ (ix) the killing of [REDACTED],²⁰ as charged in Incident [REDACTED] - P-0008 describes [REDACTED], and explains that [REDACTED] [REDACTED];²¹ (x) the killing of [REDACTED], who was [REDACTED], as charged in Incident [REDACTED];²² (xi) the killing of [REDACTED],²³ as charged in Incident [REDACTED], and comments upon [REDACTED] this incident - P-0008 also describes [REDACTED] prior to his murder;²⁴ (xii) the killing of [REDACTED],²⁵ as charged in Incident

⁹ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED]; P-0008, PHL-OTP-00000597 at 0018, lines 596-601; PHL-OTP-00000598 at 0009-0012, lines 271-368; PHL-OTP-00000599 at 0002-0003, lines 26-38.

¹⁰ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

¹¹ P-0008, PHL-OTP-00000603 at 0010-0018, lines 297-565; PHL-OTP-00000604 at 0002-0003, lines 22-37; PHL-OTP-00000611 at 0008-0012, lines 223-352; GMA, PHL-OTP-0001-4422 (Translation PHL-OTP-0007-0928); ABS-CBN, PHL-OTP-00000234 (Translation PHL-OTP-00015576).

¹² See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

¹³ P-0008, PHL-OTP-00017740 at 0008, lines 226-227, at 0009, lines 248-254; PHL-OTP-00000603 at 0002-0010, lines 33-290; GMA, PHL-OTP-0001-4420 (Translation PHL-OTP-0007-0925).

¹⁴ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

¹⁵ P-0008, PHL-OTP-00000590 at 0009-0010, lines 275-300; PHL-OTP-00250127 at 0002-0003, lines 23-48; PHL-OTP-00000596 at 0011-0013, lines 322-405; PHL-OTP-00000601 at 0006-0010, lines 141-279; PHL-OTP-00000610 at 0007, lines 190-196.

¹⁶ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

¹⁷ P-0008, PHL-OTP-00001457 at 0012-0020, lines 363-633; PHL-OTP-00001458 at 0005-0007, lines 133-203.

¹⁸ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

¹⁹ P-0008, PHL-OTP-00000592 at 0010, lines 302-320; PHL-OTP-00000598 at 0002-0009, lines 15-268; PHL-OTP-00017740 at 0008, lines 208, 225-226, 238-242; PHL-OTP-00000606 at 0002-0011, lines 20-343; GMA, PHL-OTP-00000228 (Translation PHL-OTP-00017741).

²⁰ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

²¹ P-0008, PHL-OTP-00001458 at 0004, lines 87-91; PHL-OTP-00250127 at 0003-0005, lines 51-133; PHL-OTP-00000595 at 0005, lines 123-132; PHL-OTP-00000597 at 0009-0019, lines 258-640; PHL-OTP-00000601 at 0004-0005, lines 98-128, 0010, lines 278-279; PHL-OTP-00000606 at 0009, lines 261-275.

²² See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED]; P-0008, PHL-OTP-00000590 at 0006-0007, lines 42-192; PHL-OTP-00000595 at 0002-0006, lines 26-152; PHL-OTP-00000599 at 0007, lines 187-206.

²³ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

²⁴ P-0008, PHL-OTP-00000590 at 0004-0006, lines 98-157; PHL-OTP-00000592 at 0002-0009, lines 25-272, 0011-0012, lines 331-383; PHL-OTP-00017740 at 0009-0010, lines 276-283; PHL-OTP-00000604 at 0003-0010, lines 38-286; Video PHL-OTP-0001-4426 (Translation PHL-OTP-0007-0934).

²⁵ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, pp. [REDACTED].

[REDACTED] - P-0008 describes [REDACTED]²⁶ at the time and explains that [REDACTED];²⁷ and (xiii) the killing of [REDACTED],²⁸ as charged in Incident [REDACTED] - P-0008 also describes [REDACTED] prior to their murder.²⁹

11. P-0008 also describes [REDACTED], including [REDACTED],³⁰ including [REDACTED] and their involvement in the charged incidents mentioned above.

12. P-0008's Prior Recorded Testimony goes to proof of the *modus operandi* and pattern of violence used against alleged criminals by the police [REDACTED], as charged in Count 3. As such, her evidence is particularly relevant to Incidents [REDACTED] and [REDACTED], perpetrated in [REDACTED]. P-0008's evidence further goes to proof of the contextual elements of crimes against humanity and to the policy to 'neutralise' through violent crimes, including murder, alleged criminals in the Philippines. It also goes to proof of [REDACTED].

13. The associated material for P-0008 which the Prosecution seeks to introduce into evidence³¹ forms an integral part of her Prior Recorded Testimony.³² These items are also necessary to fully comprehend the witness's account, as she uses and/or explains them in her statement. P-0008's associated material is comprised of: (i) three handwritten lists of URL links provided by the witness during her interview; and (ii) [REDACTED] related to alleged extrajudicial killings (including those charged in Incidents [REDACTED] and [REDACTED], as mentioned above), and their translations.

14. Should P-0008's Prior Recorded Testimony be introduced into evidence, the Prosecution requests approximately [REDACTED]³³ to conduct a streamlined supplementary examination of this witness. During this limited and focused supplementary examination, the witness would be asked to elaborate further on [REDACTED]. In addition, the Prosecution would also explore

²⁶ P-0008, PHL-OTP-00000590 at 0008, line 241.

²⁷ P-0008, PHL-OTP-00000590 at 0008-0009, lines 234-271; PHL-OTP-00000597 at 0003-0004, lines 40-71, 0007-0009, lines 183-255; PHL-OTP-00000601 at 0010, lines 278-279.

²⁸ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

²⁹ P-0008, PHL-OTP-00000590 at 0004-0005, lines 98-106; PHL-OTP-00000592 at 0002-0006, lines 25-150, 0011, lines 331-383; PHL-OTP-00000597 at 0017, lines 551-554; PHL-OTP-00000599 at 0009-0013, lines 246-398.

³⁰ P-0008, PHL-OTP-00000592 at 0011, lines 355-360; PHL-OTP-00000593 at 0004-0010, lines 71-309.

³¹ See Annex A(1), Part II.

³² *Yekatom & Ngaissona* Decision on the Prosecution Requests under Rule 68(3), ICC-01/14-01/18-907-Red, para. 26; *Ongwen* Decision on Defence Rule 68(2)(c) request, ICC-02/04-01/15-1288, paras 8, 10; *Gbagbo & Blé Goudé* Decision on the Prosecution's rule 68(2)(b) and 68(3) applications, ICC-02/11-01/15-573-Red, para. 9.

³³ The Prosecution is mindful of the Chamber's direction that it would be "[REDACTED]" when conducting supplementary examination under rule 68(3) (see ICC-01/21-01/25-T-012-CONF-ENG, p. 11, lines 21-24) and submits that P-0008 is [REDACTED].

and clarify aspects of P-0008's evidence related to, in particular: (i) [REDACTED]; and (ii) [REDACTED] referenced in section III of Annex A1.³⁴

15. The Prosecution estimates that it would require [REDACTED] for the direct examination of P-0008, if her Prior Recorded Testimony is not introduced through rule 68(3). Thus, the [REDACTED] required for the limited supplementary examination would shorten the in-court testimony of this witness by [REDACTED], should this Application be granted.

(ii) Prior Recorded Testimony of P-1164

16. P-1164's Prior Recorded Testimony consists of the witness's one-day interview of [REDACTED] and of the associated material that was used or explained by the witness during her interview and is listed in confidential Annex A2.

17. P-1164 was [REDACTED]. In her Prior Recorded Testimony, the witness describes the killing of [REDACTED] by PNP officers [REDACTED] and the extrajudicial killings perpetrated by police [REDACTED], including in Incidents [REDACTED] and [REDACTED], perpetrated in [REDACTED].

18. More specifically, P-1164 speaks about (i) the killing of [REDACTED],³⁵ as charged in Incident [REDACTED].³⁶ P-1164 describes that [REDACTED]³⁷ - she also explains that [REDACTED];³⁸ (ii) the killing of [REDACTED],³⁹ as charged in Incident [REDACTED] - she describes [REDACTED], and explains that [REDACTED];⁴⁰ and (ix) the killing of [REDACTED],⁴¹ as charged in Incident [REDACTED] - P-1164 describes [REDACTED], and explains that [REDACTED].⁴²

³⁴ The [REDACTED] mentioned in P-0008's [REDACTED] interview were [REDACTED]. For this reason, the Prosecution does not seek to introduce this evidence through rule 68(3) and the [REDACTED] included in section III of Annex A1.

³⁵ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

³⁶ P-1164, PHL-OTP-00240617 at 0003-0004, lines 53-90.

³⁷ P-1164, PHL-OTP-00240617 at 0003, lines 53, 58.

³⁸ P-1164, PHL-OTP-00240617 at 0004, line 86.

³⁹ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

⁴⁰ P-1164, PHL-OTP-00250126 at 0006-0012, lines 145-344; PHL-OTP-00240615 at 0002-0008, lines 30-211, at 0009-0015, lines 265-467; PHL-OTP-00240616 at 0004-0006, lines 93-149.

⁴¹ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

⁴² P-1164, PHL-OTP-00240613 at 0010-0020, lines 274-630.

19. P-1164 also explains how [REDACTED]. She further explains how [REDACTED]. A newspaper article related to the incident claimed that [REDACTED] was shot by the police in an exchange of gunfire.⁴³

20. P-1164's Prior Recorded Testimony goes to proof of the *modus operandi* and pattern of violence used against alleged criminals by the police [REDACTED] [REDACTED], as charged in Count 3. As such, her evidence is particularly relevant to Incidents [REDACTED] and [REDACTED], perpetrated in [REDACTED]. P-1164's evidence further goes to proof of the contextual elements of crimes against humanity and to the policy to 'neutralise' through violent crimes, including murder, alleged criminals in the Philippines.

21. The associated material for P-1164 which the Prosecution seeks to introduce into evidence⁴⁴ forms an integral part of her Prior Recorded Testimony. These items are also necessary to fully comprehend the witness's account, as she uses and/or explains them in her statement. P-1164's associated material is comprised of: (i) the records of [REDACTED] and their translations; and of (ii) a sketch of [REDACTED].

22. Should P-1164's Prior Recorded Testimony be introduced into evidence, the Prosecution requests approximately [REDACTED] to conduct a streamlined supplementary examination of this witness. During this limited and focused supplementary examination, the Prosecution would explore and clarify aspects of P-1164's evidence related to, in particular: (i) [REDACTED]; and (ii) [REDACTED].

23. The Prosecution estimates that it would require [REDACTED] for the direct examination of P-1164, if her Prior Recorded Testimony is not introduced through rule 68(3). Thus, the [REDACTED] required for the limited supplementary examination would shorten the in-court testimony of this witness by [REDACTED], should this Application be granted.

(iii) Prior Recorded Testimony of P-1303

24. P-1303's Prior Recorded Testimony consists of the witness's one-day interview of [REDACTED] and of the associated material that was used or explained by the witness during her interview and is listed in confidential Annex A3.

⁴³ P-1164, PHL-OTP-00240615 at 0016-0025, lines 480-789.

⁴⁴ See Annex A(2), Part II.

25. P-1303 was [REDACTED],⁴⁵ who was shot and killed on or about [REDACTED] by PNP personnel based at [REDACTED].⁴⁶ P-1303 provides general evidence on [REDACTED] related to drug use, as well as the [REDACTED] prior to his murder by PNP policemen [REDACTED].⁴⁷ She also provides evidence related to the discrepancy in [REDACTED]⁴⁸ and about the [REDACTED].⁴⁹ P-1303's Prior Recorded Testimony goes to proof of Count 3 murders committed by [REDACTED], and in particular, to the proof of Incident [REDACTED].

26. The associated material for P-1303 which the Prosecution seeks to introduce into evidence⁵⁰ forms an integral part of her Prior Recorded Testimony. These items are also necessary to fully comprehend the witness's account, as she uses and explains them in her statement. P-1303's associated material is comprised of [REDACTED].

27. Should P-1303's Prior Recorded Testimony be introduced into evidence, the Prosecution requests approximately [REDACTED] to conduct a streamlined supplementary examination of this witness. During this limited and focused supplementary examination the Prosecution would explore and clarify aspects of P-1303's evidence related to, in particular: (i) [REDACTED]; (ii) [REDACTED]; and (iii) [REDACTED]. The witness may also be asked to comment on [REDACTED].⁵¹

28. The Prosecution estimates that it would require [REDACTED] for the direct examination of P-1303, if her Prior Recorded Testimony is not introduced through rule 68(3). Thus, the [REDACTED] required for the limited supplementary examination would shorten the in-court testimony of this witness by [REDACTED], should this Application be granted.

C. The Prior Recorded Testimonies of P-0008, P-1164, and P-1303 are internally consistent and corroborative of evidence to be provided by other witnesses

⁴⁵ See Prosecution's Trial Brief, ICC-01/21-01/25-490-Conf, p. [REDACTED].

⁴⁶ P-1303, PHL-OTP-00094888 at 0009-0027, lines 263-879.

⁴⁷ P-1303, PHL-OTP-00094888 at 0010-0018, lines 310-801.

⁴⁸ P-1303, PHL-OTP-00094888 at 0024-0026, lines 802-854.

⁴⁹ P-1303, PHL-OTP-00094888 at 0004-0005, 0026-0027, lines 99-129, 864-891.

⁵⁰ See Annex A(3), Part II.

⁵¹ [REDACTED], PHL-OTP-00092332 (Translation PHL-OTP-00236222 at 0004, lines 86-90).

29. The Three Witnesses' Prior Recorded Testimonies are internally consistent and accompanied by supporting documents in relation to certain aspects.⁵² They are also cumulative in nature and corroborative of other evidence,⁵³ as described below.

30. P-0008's evidence relating to Incidents [REDACTED] and [REDACTED], is corroborative of, and cumulative to, the evidence expected to be provided by, in particular, *viva voce* witness P-0003. Her evidence relating to Incidents [REDACTED] and [REDACTED], is further corroborative of, and cumulative to, the evidence expected to be provided by [REDACTED], while her evidence relating to Incident [REDACTED] is also corroborative of, and cumulative to, the evidence expected to be provided by P-1370 and P-1416. P-0008's evidence regarding the *modus operandi* and pattern of violence used against alleged criminals by the police [REDACTED] is also corroborative of, and cumulative to, the evidence expected to be provided by P-0003 and [REDACTED].

31. P-1164's evidence relating to Incidents [REDACTED] and [REDACTED], is corroborative of, and cumulative to, the evidence expected to be provided by, in particular, *viva voce* witness P-0003, as well as the evidence of P-0008. Her evidence regarding the *modus operandi* and pattern of violence used against alleged criminals by the police [REDACTED] is also corroborative of, and cumulative to, the evidence expected to be provided by P-0003 and P-0008.

32. P-1303's evidence relating to Incident [REDACTED], is corroborative of, and cumulative to, the evidence expected to be provided by, in particular, *viva voce* witnesses [REDACTED], who [REDACTED], as well as the evidence of [REDACTED], who [REDACTED].

D. The introduction of the Three Witnesses' Prior Recorded Testimonies is not prejudicial to or inconsistent with the rights of the Accused

33. The introduction of the Three Witnesses' Prior Recorded Testimonies into evidence would not be prejudicial to or inconsistent with the rights of the Accused, as the Defence will have ample opportunity to cross-examine them. The Defence have been notified of the

⁵² *Ntaganda* Preliminary Rule 68(3) decision, para. 9.

⁵³ *Bemba* Rule 68 AJ, para. 78.

Prosecution's intention to call these witnesses pursuant to rule 68(3) since 31 August 2026⁵⁴ and have adequate time to prepare for the cross-examination.

34. In accordance with the conditions set out in rule 68(3), the witnesses will be asked whether they consent to the introduction of their Prior Recorded Testimonies into the record of the case at the start of their testimony and the parties, the CLRV, and the Chamber will have the opportunity to examine them and observe their demeanour during testimony.

E. The Prior Recorded Testimony of the Three Witnesses is relevant, reliable, and probative to the case

35. The Prior Recorded Testimonies that the Prosecution seeks to introduce into evidence, pursuant to rule 68(3) is relevant, reliable, and probative. While rule 68(3) contains no requirement that the prior recorded testimony has sufficient indicia of reliability, contrary to other sub-rules of rule 68,⁵⁵ such indicia are relevant to the Prior Recorded Testimonies' reliability and probative value.

36. P-0008, P-1164, and P-1303's Prior Recorded Testimonies were obtained by the Prosecution in the ordinary course of its investigation, when the witnesses were interviewed pursuant to article 55 of the Statute and rule 112 of the Rules, with the audio-recordings of their interviews – transcribed, resulting in the interview transcripts forming their Prior Recorded Testimonies. All Three Witnesses were informed of the voluntary nature of their interviews and of their rights.⁵⁶ Other issues, including [REDACTED]⁵⁷ were also explained to each witness. At the conclusion of the interviews the witnesses confirmed that they answered the questions of their own free will and had no complaints about the way the interview was conducted.⁵⁸

⁵⁴ Prosecution's List of Witnesses for Trial, ICC-01/21-01/25-488-Conf-AnxA.

⁵⁵ *Yekatom & Ngaissona* Fifteenth Decision on Rule 68(3), ICC-01/14-01/18-1480-Red, para. 16; *Yekatom & Ngaissona* Twentieth Rule 68(3) Decision, para. 11.

⁵⁶ P-0008, PHL-OTP-00000589 at 0009-0010, lines 260-295, at 0011-0013, lines 336-406; PHL-OTP-00000602 at 0003-0004, lines 69-104, at 0005-0009, lines 138-258; P-1164, PHL-OTP-00240615 at 0002, lines 22-28; P-1303, PHL-OTP-00094888 at 0003-0004, lines 55-98.

⁵⁷ P-0008, PHL-OTP-00000602 at 0011, lines 320-381; P-1164, PHL-OTP-00240613 at 0006, lines 153-164; P-1303, PHL-OTP-00094888 at 0006-0009, lines 157-250.

⁵⁸ P-0008, PHL-OTP-00000601 at 0015, lines 464-479; PHL-OTP-00000612 at 0009, lines 248-260; P-1164, PHL-OTP-00240618 at 0004, lines 74-84; P-1303, PHL-OTP-00094888 at 0028, lines 913-924.

IV. CONCLUSION

37. For the above reasons, the Prosecution respectfully requests that the Chamber grant the application subject to the fulfilment of the further conditions of rule 68(3) of the Rules.

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

Mame Mandiaye Niang, Acting Prosecutor

Dated this 21st day of October 2026

At The Hague, the Netherlands