

ANNEX 23

Public Redacted

Version

trialchamber

28/07/2026 09:26

[ICC-01/21-01/25 - Public] Decision on the Prosecution's request regarding date of submission of its Trial Brief

To OTP

D36 Duterte

V50 LRV Team

V50 legal representatives team

Office of the Director

CMS

• TrialChamber

Dear Counsel,

Noting the Prosecution's request for an extension of time limit regarding the Trial Brief, and further noting that the Prosecution indicates that it has consulted with the Defence and Common Legal Representatives for the Victims, who have expressed no objection to this request, the Chamber, pursuant to Regulation 35 of the Regulations of the Court, grants it and orders the Prosecution to file a detailed Trial Brief by 4 September 2026.

Kind regards,
Trial Chamber III

On 27/07/2026 11:32 CEST Julian Nicholls wrote:

Dear Trial Chamber III,
Dear colleagues,

The Prosecution confirms that the understanding of the Defence is correct: the Prosecution is requesting a 4 day extension of the August 31 deadline solely for the filing of the Trial Brief.

Thank you.

Best regards,
Julian Nicholls

On 27/07/2026 10:55 CEST Alexandre Desevedavy wrote:

Dear Trial Chamber III,
Dear all,

The Defence confirms that it does not object to the Prosecution's request. It understands, however, that the request is limited to the filing of the Trial Brief and does not affect the remaining deadlines set by the Chamber.

Kind regards,

Alexandre Desevedavy
On behalf of the Duterte Defence

On 27/07/2026 10:13 CEST Julian Nicholls wrote:

Dear Trial Chamber III,
Dear colleagues,

The Prosecution respectfully requests that the deadline for filing its Trial Brief be extended for four (4) days from Monday 31 August to Friday 4 September 2026, pursuant to regulation 35 of the Regulations of the Court.

Good cause exists for setting the deadline for the Brief at 4 September 2026. Currently, in addition to the current 31 August 2026 deadline for the Brief, the Prosecution must also by the same date: complete the disclosure process; submit its List of Witnesses (including breakdowns of testimony for article 55 witnesses testifying in 2026); submit its List of Evidence; and file its Rule 68 applications for witnesses testifying in 2026, pre-trial motions, and observations on the conduct of proceedings.

The Prosecution respectfully submits that allowing it an additional four days after these foundational documents and processes are filed and completed to submit its Brief will permit the Prosecution to better prepare a comprehensive and high quality brief while still allowing the Chamber and all parties and participants adequate time to prepare for the start of trial on 30 November 2026. Details of any additional incidents will still be disclosed by 31 August 2026.

The Prosecution has consulted with the Defence and Common Legal Representatives for the Victims ("CLRV"), who have no objection to this request, should the Chamber decide to grant it. The Prosecution thanks the Defence and CLRV for their consideration.

This request is submitted *via* email as the other parties and participants do not object, however, the Prosecution will of course file a regulation 35 motion if directed to by the Chamber.

Thank you.

Best regards,
Julian Nicholls