

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **23 May 2025**

**THE PLENARY OF JUDGES
OF THE INTERNATIONAL CRIMINAL COURT**

**SITUATION IN THE REPUBLIC OF THE PHILIPPINES
IN THE CASE OF *THE PROSECUTOR v. RODRIGO ROA DUTERTE***

Public, with public Annexes I to III

Notification concerning the ‘Request for the Disqualification of Judge Reine Adélaïde Sophie Alapini-Gansou and Judge María del Socorro Flores Liera from Adjudicating on the Issue of Jurisdiction’ filed on 9 May 2025 (ICC-01/21-01/25-130)

Decision 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

Mr Zavala Giler, Osvaldo

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations
Section**

☒ **Other**
All Judges

The plenary of judges of the International Criminal Court (the ‘Court’), with the exception of Judge Reine Alapini-Gansou, Judge Socorro Flores Liera and Judge Beti Hohler,

In the case of *The Prosecutor v. Rodrigo Roa Duterte*,

NOTING the ‘Request for the Disqualification of Judge Reine Adélaïde Sophie Alapini-Gansou and Judge María del Socorro Flores Liera from Adjudicating on the Issue of Jurisdiction’ dated 9 May 2025 filed by Mr Rodrigo Roa Duterte pursuant to article 41(2)(b) of the Rome Statute (the ‘Application’),¹ seeking that the two judges be disqualified from Pre-Trial Chamber I from adjudicating the ‘Defence Challenge with Respect to Jurisdiction’ filed by Mr Duterte on 1 May 2025;²

NOTING that, on 13 May 2025, Judge Hohler transmitted a request to be excused from her functions as a judge of the plenary in respect of the Application, pursuant to article 41(1) of the Rome Statute and rule 33 of the Rules of Procedure and Evidence (the ‘Rules’), on the basis that she served as a Prosecution Trial Lawyer on the *Situation in the Republic of the Philippines* from 2019-2022 (‘Request for Excusal’). An *ad hoc* Presidency, consisting of Judge Tomoko Akane, Judge Rosario Salvatore Aitala and Judge Luz del Carmen Ibáñez Carranza, considered the Request for Excusal and granted it on 15 May 2025 (the ‘Decision on the Request for Excusal’).

NOTING that, in accordance with article 41(2)(c) of the Rome Statute and rule 34(2) of the Rules, Judge Alapini-Gansou and Judge Flores were requested to present any written observations on the Application, which were duly provided by them directly to the plenary of judges within the established time limit (the ‘Observations’);³

HEREBY NOTIFIES that the Observations will be duly considered by the judges in a plenary session convened to address the Application;

¹ Defence for Mr Duterte, *The Prosecutor v. Rodrigo Roa Duterte*, Request for the Disqualification of Judge Reine Adélaïde Sophie Alapini Gansou and Judge María del Socorro Flores Liera from Adjudicating on the Issue of Jurisdiction, 9 May 2025, ICC-01/21-01/25-130. A corrected version was filed on 12 May 2025. See [Corrigendum to Request for the Disqualification of Judge Reine Adélaïde Sophie Alapini Gansou and Judge María del Socorro Flores Liera from Adjudicating on the Issue of Jurisdiction](#), 12 May 2025, ICC-01/21-01/25-130-Corr.

² Application, para. 1, referring to Defence for Mr Duterte, *The Prosecutor v. Rodrigo Roa Duterte*, [Defence Challenge with Respect to Jurisdiction](#), 1 May 2025, ICC-01/21-01/25-121.

³ Presidency, *The Prosecutor v. Rodrigo Roa Duterte*, [Order concerning the ‘Request for the Disqualification of Judge Reine Adélaïde Sophie Alapini-Gansou and Judge María del Socorro Flores Liera from Adjudicating on the Issue of Jurisdiction’ filed on 9 May 2025 \(ICC-01/21-01/25-130\)](#), 14 May 2025, ICC-01/21-01/25-134.

HEREBY ANNEXES the observations of Judge Alapini-Gansou and Judge Flores, as well as the Request for Excusal and the Decision on the Request for Excusal.

Done in both English and French, the English version being authoritative.



Judge Tomoko Akane
President

Dated this 23 May 2025

At The Hague, The Netherlands