

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/21-01/25

Date: 26 August 2025

PRE-TRIAL CHAMBER I

Before:

**Judge Iulia Antoanella Motoc, Presiding
Judge Reine Adélaïde Sophie Alapini-Gansou
Judge María del Socorro Flores Liera**

SITUATION IN THE REPUBLIC OF THE PHILIPPINES

IN THE CASE OF *THE PROSECUTOR v. RODRIGO ROA DUTERTE*

Confidential

Order to the Registry for a report from the Medical Officer of the Detention Centre

Order 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 Osvaldo Zavala Giler	☐ Counsel Support Section
☐ Victims and Witnesses Unit	☒ Detention Section
☐ Victims Participation and Reparations Section	☐ Other

PRE-TRIAL CHAMBER I of the International Criminal Court issues the present ‘Order to the Registry for a report from the Medical Officer of the Detention Centre’.

1. On 18 August 2025, the Defence filed the ‘Defence Request for an Indefinite Adjournment’,¹ requesting that the Chamber (i) order ‘that all legal proceedings, including the hearing on the confirmation of charges, be adjourned indefinitely’; or, in the alternative, (ii) ‘convene a status conference for the purpose of litigating whether the Chamber should, if at all, exercise its discretion pursuant to Rules 113, 135(1), and 135(3) of the Rules of Procedure and Evidence’.

2. The Request is based on the assertion that Mr Duterte ‘is not fit to stand trial as a result of cognitive impairment in multiple domains’ and that his ‘condition will not improve’.² The Defence submits that ‘Mr Duterte’s state of health [...] directly impacts on the exercise of the procedural rights enshrined in Article 67(1), which are essential for him to benefit from a fair trial’, since he ‘is unable to fully understand the nature and implications of the proceedings conducted against him’, ‘to follow the litigation and to make informed decisions’, and ‘to contribute to his own defence’.³

3. The Chamber notes that, pursuant to regulation 103(4) of the Regulations of the Court, ‘[a] qualified medical officer with experience in psychiatry shall be available to attend the detention centre’ (the ‘Medical Officer’), and that, pursuant to regulations 155 and 156 of the Regulations of the Registry, the Medical Officer ‘shall have responsibility for the physical and mental health of detained persons’ and ‘shall maintain a medical record of each detained person’. The Chamber finds it appropriate, as part of the adjudication of the Request, to instruct the Registry to submit a report on the following, which shall include the Medical Officer’s assessment thereon:

- a. The management of Mr Duterte’s health conditions while in custody at the Court’s Detention Centre, including a complete overview of all measures and arrangements put in place to provide him with medical access and care, as well as any examinations and results thereof;

¹ ICC-01/21-01/25-230-Conf, with confidential annexes A, B (the ‘Request’).

² Request, para. 1.

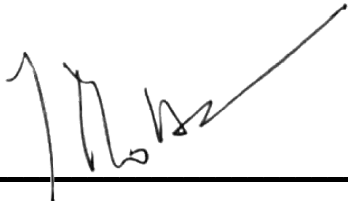
³ Request, paras 30-31.

- b. Whether and, if so, at what level Mr Duterte suffers from any condition which might have an effect on his ability to follow and take part in the ongoing pre-trial proceedings, including the confirmation of charges hearing;
- c. Whether any special measures or adjustments are recommended to address any medical condition of Mr Duterte during the pre-trial proceedings, including the confirmation of charges hearing.

FOR THESE REASONS, THE CHAMBER HEREBY

ORDERS the Registry and the Medical Officer of the Detention Centre, who shall be immediately notified of the present order, to provide the Chamber with a report pursuant to paragraph 3 above by no later than 2 September 2025.

Done in English. A French translation will follow. The English version remains authoritative.



Judge Iulia Antoanella Motoc, Presiding



**Judge Reine Adélaïde Sophie Alapini-
Gansou**



Judge María del Socorro Flores Liera

Dated this Tuesday, 26 August 2025

At The Hague, The Netherlands