

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Original: **29 August 2025**

Date: **11 September 2025**

PRE-TRIAL CHAMBER I

Before: Judge Iulia Antoanella Motoc, Presiding Judge
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

PUBLIC

**Public redacted version of
“Defence request to disregard Prosecution filing ICC-01/21-01/25-252”**

Source: Defence for Mr Rodrigo Roa Duterte

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
Duterte Defence Team

☐ 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
Osvaldo Zavala Giler

☐ Counsel Support Section

☐ Victims and Witnesses Unit

☐ Detention Section

☐ Victims Participation and
Reparations Section

☐ Other

1. [REDACTED], “[REDACTED]”.¹ The Prosecution’s response² to the renewed request for interim release³ should be disregarded for abject lack of relevance to the issue under consideration.
2. The words and acts of people other than Mr Duterte do not indicate that he is liable to flee justice. Mr Duterte’s purported failure to stem an incessant stream of incoherent gossip emanating from [REDACTED] does not indicate that he is liable to interfere with witnesses. Mr Duterte’s deficient executive cognitive functioning (leading to an inability to formulate criminal activity) is recognised by an **independent** prison neuropsychologist [REDACTED].⁴
3. Mr Duterte will be released to a State Party where, pursuant to the guarantees and undertakings given, he will either be denied access to telephonic means of communication or his communications will continue to be monitored, with his agreement, by the Registry. [REDACTED] family visits permitted by the Chamber may [REDACTED] be monitored by the Registry and supervised by the local police force. If absolutely necessary, the Defence will do its best to facilitate [REDACTED].
4. The fact that the Prosecution rejects (with absolutely no basis whatsoever) cogent professional evidence⁵ does not mean that it should be ignored. The Prosecution has produced absolutely **nothing** to counter this evidence nor has it indicated when it is likely to produce similar expertise.⁶



Nicholas Kaufman
Counsel for Rodrigo Roa Duterte

Dated this 11th day of September 2025
At The Hague, The Netherlands

¹ [REDACTED]. The present request is a public redacted version of a submission previously filed confidentially pursuant to [Regulation 23bis\(1\)](#) of the Regulations of the Court.

² Confidential redacted version of “Prosecution’s response to the ‘Renewed Request for Interim Release’”, [ICC-01/21-01/25-252-Conf-Red](#), 28 August 2025 (“Prosecution Response”).

³ Public Redacted Version of the “Renewed Request for Interim Release, ICC-01/21-01/25-231-Conf, 18 August 2025”, [ICC-01/21-01/25-231-Red](#), 19 August 2025.

⁴ [REDACTED].

⁵ Prosecution Response, para. 19.

⁶ In *inter partes* communication, the Defence has offered to pay for [REDACTED].