

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

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

Date: 6 October 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

CONFIDENTIAL

**Registry's Request for Extension of Time in relation to the "Decision on the appointment of experts for the purpose of a medical examination pursuant to rules 113 and 135 of the Rules of Procedure and Evidence and related matters",
24 September 2025, ICC-01/21-01/25-279-Conf**

Source: Registry

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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| ☒ 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
M. Zavala Giler, Osvaldo | ☐ Counsel Support Section |
| ☐ Victims and Witnesses Unit | ☒ Detention Section |
| ☐ Victims Participation and Reparations Section | ☒ Other
Language Services Section |

I. Introduction

1. Pursuant to regulations 24 *bis*(1) and 35(2) of the Regulations of the Court ("RoC"), the Registry hereby presents a request for extension of a translation deadline set in the "Decision on the appointment of experts for the purpose of a medical examination pursuant to rules 113 and 135 of the Rules of Procedure and Evidence and related matters" dated 24 September 2025.¹

II. Procedural history

2. On 18 August 2025, the Defence for Mr Rodrigo Roa Duterte ("Defence" and "Mr Duterte", respectively) submitted the "Defence Request for an Indefinite Adjournment", stating, *inter alia*, 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 and, for this reason, the Pre-Trial Chamber must adjourn all legal proceedings in his case indefinitely" pursuant to rule 135(4) of the Rules of Procedure and Evidence ("RPE").²
3. On 8 September 2025, Pre-Trial Chamber I ("Chamber"), by majority, Judge María del Socorro Flores Liera dissenting, ordered the Registry to prepare

a shortlist of experts who are qualified and have relevant expertise to determine and assess: (i) whether and, if so, at what level Mr Duterte suffers from any medical 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; and (ii) whether any special measures or adjustments are recommended to address any medical condition of Mr Duterte, also in light of any prognosis, during the pre-trial proceedings, including the confirmation of charges hearing.³

¹ Pre-Trial Chamber I, "Decision on the appointment of experts for the purpose of a medical examination pursuant to rules 113 and 135 of the Rules of Procedure and Evidence and related matter", 24 September 2025, ICC-01/21-01/25-279-Conf ("Decision on the Appointment of Experts").

² Defence for Mr Duterte, "Defence Request for an Indefinite Adjournment", 18 August 2025, ICC-01/21-01/25-230-Conf ("Request for Adjournment"), paras. 1, 35.

³ Pre-Trial Chamber I, "Order pursuant to rules 113 and 135 of the Rules of Procedure and Evidence", 8 September 2025, ICC-01/21-01/25-268-Conf ("Order pursuant to Rules 113 and 135 of the RPE"), para. 24.

4. On 15 September 2025, the Registry submitted the “Registry Submission of a Shortlist of Medical Experts pursuant to ICC-01/21-01/25-268-Conf”, stating *inter alia* that:

The Registry has consulted the Language Services Section (“LSS”) as to the timeframe of the translation process. The LSS has indicated that translation from Dutch into English and/or French requires outsourcing to qualified vetted field translators who are able to translate medical documents. The Registry notes that translation of medical documents is a complex process which, roughly estimated, will take 5 weeks for translation from Dutch into English and/or French, and could be provided on a rolling basis.⁴

5. On 24 September 2025, the Chamber issued the “Decision on the appointment of experts for the purpose of a medical examination pursuant to rules 113 and 135 of the Rules of Procedure and Evidence and related matters”, *inter alia* instructing the Registry to “translate the relevant materials comprised in the medical record from Dutch into English by no later than 10 October 2025, and transmit such translated materials to the Panel on a rolling basis”⁵.

III. Classification

6. In accordance with regulation 23 *bis*(2) of the RoC, the present request is classified as confidential as it refers to a decision of the same classification level.

IV. Applicable law

7. For the purposes of the present request, the Registry has considered regulations 24 *bis*(1) and 35(2) of the RoC.

V. Submissions

8. In its Submission of 15 September 2025, the Registry informed the Chamber that translation of the relevant materials from Dutch into English would require “outsourcing to qualified vetted field translators who are able to translate

⁴ Registry, “Registry Submission of a Shortlist of Medical Experts pursuant to ICC-01/21-01/25-268-Conf”, 15 September 2025, ICC-01/21-01/25-270-Conf (“Registry Submission of 15 September 2025”), para. 30.

⁵ Decision on the Appointment of Experts, para. 21.

medical documents.”⁶ The Registry further noted that this “translation of medical documents is a complex process which, roughly estimated, will take 5 weeks for translation from Dutch into English [...], and could be provided on a rolling basis”.⁷ Counting five weeks from 15 September 2025 would put the latest date for delivery of the translated documents at 20 October 2025.

9. After receiving the redacted originals of the medical file, LSS outsourced the translation to two qualified external translators (out of the three vetted for translation from Dutch to English, only two were available). The two external translators confirmed on 23 September 2025 that they would be able to finalize all the documents comprising the medical file by 17 October 2025, and agreed to delivery on a rolling basis.
10. On 24 September 2025, in its Decision on the Appointment of Experts, the Chamber instructed the Registry to “translate the relevant materials comprised in the medical record from Dutch into English by no later than 10 October 2025, and transmit such translated materials to the Panel on a rolling basis”.⁸ That instruction affords less than the time estimated to be necessary (by both LSS and the external translators) to translate a lengthy set of complex and sensitive medical records. As a result, the deadline of 10 October 2025 may not be feasible for the entirety of the documents, although the external translators have committed to working as fast as possible.
11. Accordingly, the Registry submits that, in view of the reasons and estimates stated in its Submission of 15 September 2025 (theoretical estimate of five weeks) and in the present Request (specific estimate of three weeks after analysis of the documents by the external translators), there is good cause to extend the original deadline of 10 October 2025 to 17 October 2025, to afford the

⁶ Registry Submission of 15 September 2025, para. 30.

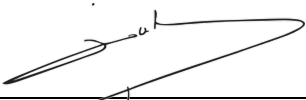
⁷ *Ibid.*

⁸ Decision on the Appointment of Experts, para. 21.

external translators the three weeks that they consider necessary. It is expected that a substantial majority of the medical documents will be delivered by 10 October 2025, with the rest to follow by 17 October 2025.

12. The Registry, on 25 September 2025, consulted the experts who have been informed that the Dutch version of the medical file will be transmitted to the experts, and that the English translation of the documents would be delivered on a rolling basis through 17 October 2025. Notwithstanding the indication by LSS of 17 October 2025 as the latest date by which the medical documents can be translated, the experts have confirmed that they are working towards the aforesaid 31 October 2025 deadline.

13. In conclusion, the Registry requests that it be allowed to extend the delivery of the translations until 17 October 2025 at the latest; in the meantime, it will continue to finalize the translations on a rolling basis.



Marc Dubuisson, Director, Division of Judicial Services
on behalf of
Osvaldo Zavala Giler, Registrar

Dated this 6 October 2025

At The Hague, Netherlands