



Original: English

No. ICC-01/21-01/25 OA2

Date: 27 October 2025

THE APPEALS CHAMBER

Before: Judge Luz del Carmen Ibáñez Carranza, Presiding
Judge Tomoko Akane
Judge Solomy Balungi Bossa
Judge Gocha Lordkipanidze
Judge Erdenebalsuren Damdin

SITUATION IN THE REPUBLIC OF THE PHILIPPINES

IN THE CASE OF THE PROSECUTOR v. RODRIGO ROA DUTERTE

Public document

Order on filing of public versions of documents

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**

The Appeals Chamber of the International Criminal Court,

In the appeal of Mr Rodrigo Roa Duterte against the decision of Pre-Trial Chamber I entitled “Decision on the Defence’s ‘Urgent Request for Interim Release’ and ‘Renewed Request for Interim Release’” of 26 September 2025 (ICC-01/21-01/25-282-Conf),

Having before it the “Appeal Brief on Interim Release” of 14 October 2025 (ICC-01/21-01/25-298-Conf), the “Prosecution’s response to ‘Appeal Brief on Interim Release’ (ICC-01/21-01/25-298-Conf)” of 21 October 2025 (ICC-01/21-01/25-307-Conf-Exp), and the “Victims’ Response to the Defence Appeal against Pre-Trial Chamber I’s ‘Decision on the Defence’s ‘Urgent Request for Interim Release’ and ‘Renewed Request for Interim Release’” of 21 October 2025 (ICC-01/21-01/25-306-Conf),

Pursuant to regulation 23*bis* of the Regulations of the Court,

Issues the following

ORDER

1. The Defence is directed to file a public redacted version of filing ICC-01/21-01/25-298-Conf, by 16h00 on Wednesday, 29 October 2025.
2. The Office of the Prosecutor and the Office of Public Counsel for Victims are directed to file public redacted versions of their respective filings, ICC-01/21-01/25-307-Conf-Exp and ICC-01/21-01/25-306-Conf, by 16h00 on Friday, 31 October 2025.

REASONS

1. Regulation 23*bis*(1) of the Regulations of the Court requires that, should a participant wish to file a document as “confidential”, the participant must “state the factual and legal basis for the chosen classification”. If there is no such basis, as document should be filed as “public” or “public redacted”.
2. The Appeals Chamber notes the Defence’s e-mail communication sent on 15 October 2025, in which the Defence indicates that, upon review, it considers that filing ICC-01/21-01/25-298-Conf should not be reclassified as public as it had indicated

in the same filing, and that it is prepared to submit a public redacted version thereof.¹ The Appeals Chamber further notes the submissions of the Office of the Prosecutor (hereinafter: “Prosecution”) that a public redacted version of that document is necessary in view of the information contained therein.² Therefore, the Appeals Chamber directs the Defence to submit a public redacted version of filing ICC-01/21-01/25-298-Conf, by 16h00 on Wednesday, 29 October 2025.

3. Moreover, the Appeals Chamber notes the Prosecution’s indication that filing ICC-01/21-01/25-307-Conf-Exp “contains sensitive information which could impact the security of Prosecution witnesses as well as ongoing investigations” and refers to filings and decisions with the same classification.³ The Appeals Chamber also notes that a confidential redacted version of the same document was filed on the same date.⁴ The Appeals Chamber, however, notes that the Prosecution does not indicate when a public redacted version would be submitted.

4. The Appeals Chamber further notes the indication provided by the Office of Public Counsel for Victims (hereinafter: “OPCV”) that a public redacted version of filing ICC-01/21-01/25-306-Conf would be filed in due course.⁵

5. In light of the above, the Appeals Chamber directs the Prosecution and the OPCV to submit public redacted versions of their respective filings, ICC-01/21-01/25-307-Conf-Exp and ICC-01/21-01/25-306-Conf, by 16h00 on Friday, 31 October 2025.

¹ E-mail from the Defence to the Appeals Chamber, at 18:06. *See also* Appeal Brief on Interim Release, 14 October 2025, ICC-01/21-01/25-298-Conf, with public annex A, fn. 1.

² Prosecution’s response to “Appeal Brief on Interim Release” (ICC-01/21-01/25-298-Conf), 21 October 2025, ICC-01/21-01/25-307-Conf-Exp (confidential redacted version filed on the same day (ICC-01/21-01/25-307-Conf-Red)) (hereinafter: “Prosecution Response”), paras 3-4.

³ Prosecution Response, para. 3.

⁴ Prosecution Response, para. 3.

⁵ Victims’ Response to the Defence Appeal against Pre-Trial Chamber I’s “Decision on the Defence’s ‘Urgent Request for Interim Release’ and ‘Renewed Request for Interim Release’”, 21 October 2025, ICC-01/21-01/25-306-Conf, para. 8.

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



Judge Luz del Carmen Ibáñez Carranza
Presiding

Dated this 27th day of October 2025

At The Hague, The Netherlands