

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **28 October 2025**

THE APPEALS CHAMBER

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

SITUATION IN THE REPUBLIC OF THE PHILIPPINES

IN THE CASE OF THE PROSECUTOR v. RODRIGO ROA DUTERTE

Public

Notice of Appeal against Decision ICC-01/21-01/25-309

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. The Defence for Mr Rodrigo Roa Duterte, in accordance with Article 82(1)(a),¹ Rule 154(1),² and Regulation 64(1) of the Regulations of the Court,³ hereby submits its Notice of Appeal against the “Decision on the Defence Challenge to the Jurisdiction of the Court”, issued by Pre-Trial Chamber I on 23 October 2025 (“Impugned Decision”).⁴
2. Pursuant to the requirements of Court Regulation 64(1), the Defence hereby sets out the following information:
 - a. **Name and number of the case:** *The Prosecutor v. Rodrigo Roa Duterte*, (ICC-01/21-01/25);
 - b. **Title and date of the decision being appealed:** Decision on the Defence Challenge to the Jurisdiction of the Court (ICC-01/21-01/25-309), issued on 23 October 2025;
 - c. **Scope of the appeal:** The appeal is directed against the **whole decision**;
 - d. **Provision of the Statute pursuant to which the appeal is filed:** Article 82(1)(a) of the Rome Statute;

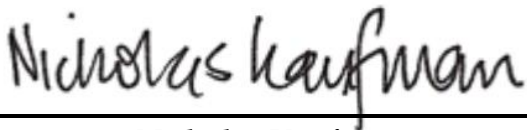
¹ Article 82(1)(a) of the [Rome Statute](#) provides that either party may exercise their right to appeal a decision with respect to jurisdiction.

² Rule 154(1) of the [ICC Rules of Procedure and Evidence](#) requires that an appeal under Article 82(1)(a) be filed within five days of the date upon which the party filing the appeal is notified of the decision.

³ Regulation 64(1) of the [ICC Regulations of the Court](#) details the five specific requirements which must be included in all notices of appeal pursuant to Article 82(1)(a) of the Rome Statute.

⁴ Decision on the Defence Challenge to the Jurisdiction of the Court, [ICC-01/21-01/25-309](#), 23 October 2025.

- e. **Relief sought:** The Defence respectfully requests the Appeals Chamber to
- (i) **REVERSE** the Impugned Decision;
 - (ii) **FIND** that there exists no legal basis for the continuation of International Criminal Court proceedings against Mr Rodrigo Roa Duterte; and
 - (iii) **ORDER** his immediate and unconditional release.



Nicholas Kaufman
Counsel
for Mr Rodrigo Roa Duterte



Dr Dov Jacobs
Associate Counsel
for Mr Rodrigo Roa Duterte

Dated this 28th day of October 2025,
The Hague, the Netherlands