

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/21-01/25
Date: 10 November 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 Redacted Version of ICC-01/21-01/25-300-Conf

Observations on behalf of Victims on the “Registry Submission of a Shortlist of Experts in Neuropsychology pursuant to ICC-01/21-01/25-288-Conf”

Source: Office of Public Counsel for Victims

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

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☐ 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

I. INTRODUCTION

1. The Principal Counsel of the Office of Public Counsel for Victims (the “OPCV”), appointed to represent the collective interests of potential victims until the mandate of the team of common legal representatives takes effect (the “Legal Representative”),¹ hereby files her observations on the “Registry Submission of a Shortlist of Medical Experts pursuant to ICC-01/21-01/25-288-Conf” (the “Second Shortlist”).²

2. Upon reviewing the information provided by the Registry and the experts’ *curricula vitae*, the Legal Representative considers that [REDACTED] and [REDACTED] possess the relevant credentials and expertise for being appointed in the Panel to undertake the medical examination of Mr Duterte.

II. PROCEDURAL BACKGROUND

3. On 8 September 2025, Pre-Trial Chamber I (the “Chamber”), by majority, issued the “Order pursuant to rules 113 and 135 of the Rules of Procedure and Evidence”.³

4. On 15 September 2025, the Registry submitted a Shortlist of Medical Experts (the “First Shortlist”).⁴ On 18 September 2025, the Defence, the Legal Representative, and the Office of the Prosecutor (the “OTP”) filed their respective observations on the First Shortlist.⁵

¹ See the “Order on the conduct of confirmation proceedings” (Pre-Trial Chamber I), [No. ICC-01/21-01/25-114](#), 17 April 2025, paras. 68-69.

² See the “Registry Submission of a Shortlist of Experts in Neuropsychology pursuant to ICC-01/21-01/25-288-Conf”, [No. ICC-01/21-01/25-294-Conf](#), 10 October 2025 (the “Second Shortlist”).

³ See the “Order pursuant to rules 113 and 135 of the Rules of Procedure and Evidence” (Pre-Trial Chamber I), [No. ICC-01/21-01/25-268-Conf](#), 8 September 2025, paras. 24-27, reclassified as “Public” pursuant to Pre-Trial Chamber I’s instruction dated 7 October 2025.

⁴ See the “Registry Submission of a Shortlist of Medical Experts pursuant to ICC-01/21-01/25-268-Conf”, [No. ICC-01/21-01/25-270-Conf](#), 15 September 2025. A public redacted version [No. ICC-01/21-01/25-270-Red](#) was filed on 9 October 2025.

⁵ See the “Defence Observations on Registry Submission ICC-01/21-01/25-270-Conf”, [No. ICC-01/21-01/25-274-Conf](#), 18 September 2025. A public redacted version [No. ICC-01/21-01/25-274-Red](#) was filed on 8 October 2025. See also, the “Observations on behalf of Victims on the ‘Registry Submission of a Shortlist of Medical Experts pursuant to ICC-01/21-01/25-268-Conf’”, [No. ICC-01/21-01/25-275-Conf](#). A public redacted version [No. ICC-01/21-01/25-275-Red](#) was filed on 8 October 2025. See also, the “Prosecution’s Observations on the ‘Registry Submission of a Shortlist of Medical Experts pursuant to

5. On 24 September 2025, the Chamber appointed [REDACTED], [REDACTED] and [REDACTED] to constitute a Panel for undertaking the medical examination of Mr Duterte.⁶ On 25 September 2025, the Defence filed its request seeking to revoke the appointment of [REDACTED] (the “Disqualification Request”).⁷ On 30 September 2025, the Legal Representative, the OTP, and the Registry responded to the Disqualification Request.⁸

6. On 3 October 2025, the Chamber ordered the Registry to transmit to it, by 10 October 2025, any written submissions from [REDACTED] and a shortlist of other experts in neuropsychology.⁹ On 10 October 2025, the Registry submitted additional information concerning [REDACTED] (the “Second Observations”) and the Second Shortlist.¹⁰ On 13 October 2025, by e-mail, the Chamber instructed the parties and the Legal Representative to file their responses to the Registry’s Second Observations and the Second Shortlist by 15 October 2025.¹¹

III. CLASSIFICATION

7. Pursuant to regulation 23*bis* (1) and (2) of the Regulations of the Court, the present submission is classified as confidential because it refers to the content of documents bearing the same classification. A public redacted version will be filed in due course.

ICC-01/21-01/25-268-Conf’ (ICC-01/21-01/25-270-Conf’), [No. ICC-01/21-01/25-276-Conf](#), 18 September 2025. A public redacted version [No. ICC-01/21-01/25-276-Red](#) was filed on 9 October 2025.

⁶ See 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” (Pre-Trial Chamber I), [No. ICC-01/21-01/25-279-Conf](#), 24 September 2025.

⁷ See the “Defence Request for the Disqualification of [REDACTED]”, [No. ICC-01/21-01/25-280-Conf](#), 25 September 2025 (the “Disqualification Request”).

⁸ See the “Victims’ Response to the ‘Defence Request for the Disqualification of [REDACTED]’”, [No. ICC-01/21-01/25-283-Conf](#), 30 September 2025; the “Prosecution’s Response to the ‘Defence Request for the Disqualification of [REDACTED]’ (ICC-01/21-01/25-280-Conf)”, [No. ICC-01/21-01/25-284-Conf](#), 30 September 2025; and the “Registry’s Observations on ‘Defence Request for the Disqualification of [REDACTED]’, ICC-01/21-01/25-280-Conf, 25 September 2025”, [No. ICC-01/21-01/25-285-Conf](#), 30 September 2025.

⁹ See the “Order in relation to the ‘Defence Request for the Disqualification of [REDACTED]’ (Pre-Trial Chamber I), [No. ICC-01/21-01/25-288-Conf](#), 3 October 2025.

¹⁰ See the Second Shortlist, *supra* note 2.

¹¹ See the email of Pre-Trial Chamber I sent on 13 October 2025 at 10:38.

IV. OBSERVATIONS

8. Having reviewed the relevant information, the Legal Representative submits that, in light of their professional experience, and, in particular, their respective specialisations in the field(s) pertaining to the precise legal issue at hand – the determination of an individual’s overall fitness to stand trial [REDACTED] and [REDACTED] appear to possess the most relevant credentials and expertise.

9. The Legal Representative further submits that, for the purposes of efficiently conducting the pre-trial proceedings, including the confirmation of charges hearing, and in light of Mr Duterte’s ability to fluently communicate in English, the fact that said experts are [REDACTED] is preferable for the selection and appointment in the circumstances of the case. Moreover, the fact that they also [REDACTED] is an additional advantage since some of the medical reports had originally been written in [REDACTED].

Respectfully submitted.

A handwritten signature in black ink, appearing to read 'Paolina Massidda', with a horizontal line underneath.

Paolina Massidda
Principal Counsel

Dated this 10th day of November 2025

At The Hague, The Netherlands