

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/21-01/25
Date: 12 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

Public Redacted Version of “Registry Submission of a Shortlist of Experts in Neuropsychology pursuant to ICC-01/21-01/25-288-Conf”, 10 October 2025, ICC-01/21-01/25-294-Conf

Source: Registry

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

☐ 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

I. Introduction

1. In accordance with the “Order in relation to the ‘Defence Request for the Disqualification of [REDACTED]” (“Order”) issued by Pre-Trial Chamber I (“Chamber”) on 3 October 2025,¹ whereby the Registry is ordered to submit a shortlist of experts, the Registry hereby submits the said shortlist.

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.²
3. On 8 September 2025, the Chamber submitted its “Order pursuant to rules 113 and 135 of the Rules of Procedure and Evidence”, instructing 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
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”.⁴

¹ Pre-Trial Chamber I, “Order in relation to the ‘Defence Request for the Disqualification of [REDACTED]” (“Order”), 3 October 2025, ICC-01/21-01/25-288-Conf.

² Defence for Mr Duterte, “Defence Request for an Indefinite Adjournment”, 18 August 2025, ICC-01/21-01/25-230-Red, 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.

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-Red.

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”⁵ appointing one neurologist, one forensic psychiatrist, and one neuropsychologist, Dr [REDACTED] (“Dr [REDACTED]”)⁶ for an assessment on the following issues (“Chamber’s Assignment”):
 - (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.⁷
6. On 25 September 2025, the Defence submitted the “Defence Request for the Disqualification of [REDACTED]” (“Defence Request”).⁸
7. On the same day, 25 September 2025, the Chamber informed the parties that it
 - (i) orders the Registry to respond to the Request by no later than Tuesday, 30 September 2025; and (ii) orders the Prosecution and the Office of Public Counsel for Victims [“OPCV”] to respond to the Request, if they so wish, by the same time limit.⁹
8. On 30 September 2025, the Office of Public Counsel for Victims, the Office of the Prosecutor, and the Registry submitted their respective responses to the Defence Request.¹⁰

⁵ 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 matters” (“Decision on the appointment of experts”), 24 September 2025, ICC-01/21-01/25-279-Conf.

⁶ Pre-Trial Chamber I, Decision on the appointment of experts, para. 13.

⁷ Pre-Trial Chamber I, Decision on the appointment of experts, para. 17 and see also paras. 18-23.

⁸ Defence for Mr Duterte, “Defence Request for the Disqualification of [REDACTED]”, 25 September 2025, ICC-01/21-01/25-280-Conf.

⁹ Email from Pre-Trial Chamber I to the Registry, the Office of the Prosecutor, the Office of the Public Counsel for Victims and the Defence for Mr Duterte on 25 September 2025 at 17.08.

¹⁰ Office of Public Counsel for Victims, “Victims’ Response to the “Defence Request for the Disqualification of [REDACTED]”, 30 September 2025, ICC-01/21-01/25-283-Conf; Office of the Prosecutor, “Prosecution’s Response to the “Defence Request for the Disqualification of [REDACTED]” (ICC-01/21-01/25-280-Conf)”, 30 September 2025, ICC-01/21-01/25-284-Conf; Registry, “Registry’s Observations on “Defence Request for the Disqualification of [REDACTED]”, ICC-01/21-01/25-280-Conf, 25 September 2025”, 30 September 2025, ICC-01/21-01/25-285-Conf.

9. On 3 October 2025, the Chamber, noting *inter alia* the Defence Request ordered, *inter alia*, the Registry “to submit a shortlist of other experts in neuropsychology by no later than 10 October 2025”.¹¹

III. Classification

10. In accordance with regulation 23 *bis* (2) of the RoC, the present report and its annex are classified as confidential as they refer to decisions of the same classification level and contain confidential and private information related to external individuals.

IV. Applicable law

11. For the purpose of the present submission, the Registry has considered, *inter alia*, rules 113 and 135 of the Rules of Procedure and Evidence, and regulation 44 of the Regulations of the Court.

V. Submissions

12. The Registry, in line with the Order,¹² has reviewed anew the List of Experts before the ICC pursuant to regulation 44 of the RoC (“List of Experts”) with a view to identifying other experts in neuropsychology.¹³ The Registry confirms that no other expert in neuropsychology, other than Dr [REDACTED], are currently on the List of Experts.

13. Since 3 October 2025, in line with the Chamber’s Order,¹⁴ the Registry started to identify and contact experts in neuropsychology to find qualified candidates for the Chamber’s Assignment.

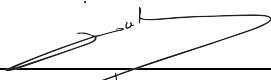
¹¹ Pre-Trial Chamber I, Order, para. 13.

¹² Pre-Trial Chamber I, Order, para. 13.

¹³ International Criminal Court, “List of Experts before the ICC as of 30 January 2023”, accessible at <https://www.icc-cpi.int/get-involved/experts>.

¹⁴ Pre-Trial Chamber I, Order, para. 13.

14. The Registry contacted 18 experts in neuropsychology who are currently not included in the List of Experts, as well as over 16 hospitals, university research centres, and institutions specialising in neuropsychology, seeking potential recommendations. The Registry efforts were concentrated in Belgium, the United Kingdom, Austria, the Netherlands, Germany, and Denmark.
15. To date, Professor Dr [REDACTED], Professor Dr [REDACTED], Dr [REDACTED], Dr [REDACTED], Ms [REDACTED] and Mr [REDACTED] have expressed their respective interest and availability to carry out the Chamber's Assignment.¹⁵ The results of these consultations are set out in a table in Annex I.¹⁶ The Registry also shares their respective *curricula vitae* for the Chamber's consideration in Annex II.¹⁷ Should one of these potential experts be appointed by the Chamber, the Registry would expedite the process for their inclusion on the List of Experts.



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

Dated this 12 November 2025

At The Hague, Netherlands

¹⁵ Pre-Trial Chamber I, Decision on the appointment of experts, paras. 17-23.

¹⁶ Annex I.

¹⁷ Annex II.