

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

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

Date: **27 August 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**

**With confidential Annex 1**

**And confidential *ex parte* Annex 2, only available to the Registry**

**Registry Report on Group A and B Applications for Victim Participation in Pre-Trial Proceedings**

**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

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Registrar

M. Zavala Giler, Osvaldo

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and  
Reparations Section

Other

## I. Introduction

1. On 17 April 2025, Pre-Trial Chamber I ("Chamber") issued the "Order on the conduct of confirmation proceedings" ("Order")<sup>1</sup> by which it adopted, *inter alia*, the procedure for the admission of victims to participate in the case of *The Prosecutor v. Rodrigo Roa Duterte* ("Duterte case" or "Case"), as set out in paragraph 96 of the Chambers Practice Manual<sup>2</sup> ("A-B-C Approach").<sup>3</sup> The Registry was instructed to transmit Group A and B applications to the Chamber, by no later than 27 August 2025, and Group C applications, to the Chamber and the parties, by no later than 20 August 2025.<sup>4</sup>
2. In line with the Chamber's Order, the Registry hereby submits its assessment report of the applications classified as Group A and Group B, which includes:
  - A brief description of the assessment criteria applied in relation to the 15 applications assessed as Group A;
  - A brief description of the assessment criteria applied in relation to the 10 applications assessed as Group B.
3. The Group A and Group B applications covered by the report are listed in Annex 1 to the present report and transmitted, under a separate cover, to the Chamber. Annex 2 to the present report contains: *i*) information about the specific incidents in the Document Containing the Charges ("DCC") that the Group A applications are linked to, and *ii*) a brief description of the reasons for rejecting Group B applications.

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<sup>1</sup> Pre-Trial Chamber I, "Order on the conduct of confirmation proceedings", 17 April 2025, ICC-01/21-01/25-114.

<sup>2</sup> ICC, "Chambers Practice Manual", 21 October 2024, <https://www.icc-cpi.int/about/judicial-divisions/chambers-practice-manual>. Under the A-B-C Approach, the Registry classifies applicants into three categories: (i) applicants who clearly qualify as victims within the scope of a given case ("Group A"), (ii) applicants who clearly do not qualify as victims within the scope of a given case ("Group B"); and (iii) applicants for whom the Registry could not make a clear determination for any reason ("Group C").

<sup>3</sup> Order, para. 55.

<sup>4</sup> Order, para. 56.

## II. Procedural History

4. On 7 March 2025, the Chamber issued a warrant of arrest for Rodrigo Roa Duterte ("Mr Duterte") pursuant to article 58 of the Rome Statute ("Statute").<sup>5</sup>
5. On 12 March 2025, Mr Duterte was surrendered to the Court<sup>6</sup> and a hearing for his first appearance before the Chamber was convened on 14 March 2025.<sup>7</sup> During this hearing, the Chamber announced that the confirmation of charges hearing in the Case was provisionally scheduled to begin on 23 September 2025.<sup>8</sup>
6. On 2 April 2025, pursuant to a Chamber's order,<sup>9</sup> the Registry made submissions on: (i) the admission process for applicants seeking to participate in proceedings; (ii) application forms for participation; (iii) identity documents available in the Republic of the Philippines ("Philippines"); and (iv) legal representation of victims ("Submissions on Victim Participation").<sup>10</sup>
7. On 17 April 2025, the Chamber issued the Order.<sup>11</sup>
8. On 4 July 2025, the Office of the Prosecutor ("OTP") filed the DCC in confidential version.<sup>12</sup>
9. On 24 July 2025, the OTP filed a corrected version of the Pre-Confirmation Brief ("PCB") in confidential version.<sup>13</sup>

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<sup>5</sup> Pre-Trial Chamber I, "Warrant of Arrest for Mr Rodrigo Roa Duterte", 7 March 2025, ICC-01/21-83. The warrant of arrest was reclassified as public on 11 March 2025.

<sup>6</sup> ICC Press Release, "Situation in the Philippines: Rodrigo Roa Duterte in ICC custody", 12 March 2025, <https://www.icc-cpi.int/news/situation-philippines-rodrigo-roa-duterte-icc-custody>.

<sup>7</sup> Pre-Trial Chamber I, "Decision convening a hearing for the first appearance of Mr Rodrigo Roa Duterte", 13 March 2025, ICC-01/21-01/25-90.

<sup>8</sup> Transcript of hearing – Initial Appearance, 14 March 2025, ICC-01/21-01/25-T-002-ENG, p. 10, lines 10-11.

<sup>9</sup> Pre-Trial Chamber I, "Order seeking observations on matters related to the conduct of confirmation proceedings", 21 March 2025, ICC-01/21-01/25-94.

<sup>10</sup> Registry, "Registry Submissions on Matters Related to the Participation of Victims", 2 April 2025, ICC-01/21-01/25-101-Conf-Exp. A public redacted version was filed on the same date, ICC-01/21-01/25-101-Red.

<sup>11</sup> See *supra*, fn. 1.

<sup>12</sup> Office of the Prosecutor, "Document Containing the Charges", 4 July 2025, ICC-01/21-01/25-178-Conf.

<sup>13</sup> Office of the Prosecutor, "Corrected version of the "Prosecution's Pre-Confirmation Brief", 24 July 2025, ICC-01/21-01/25-201-Conf-Corr.

10. On 20 August 2025, the Registry transmitted to the Chamber, in original version, and to the Parties, in redacted version, a sample of 10 applications assessed as falling within Group C,<sup>14</sup> together with a report on Group C applications ("Group C Report"),<sup>15</sup> which also included an overview of the steps taken by the Registry to organise the victim application process<sup>16</sup> and information regarding the victims' applications received.<sup>17</sup>

### III. Classification

11. Pursuant to regulation 23bis(1) of the Regulations of the Court ("RoC"), this report is classified as "confidential" since it contains information currently classified as confidential in the record of the Case. The annexes to the present report are classified, respectively, as "confidential" and "confidential *ex parte* Registry only" in accordance with the Order.<sup>18</sup>

12. The Registry will concomitantly submit a public redacted version of the present report.

### IV. Applicable Law

13. The Registry submits the present report in accordance with article 68(1) and (3) of the Statute, rules 85 and 89 of the Rules of Procedure and Evidence, regulation 86 of the RoC, and regulations 107 to 109 of the Regulations of the Registry.

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<sup>14</sup> Registry, "Registry Transmission of Group C Applications for Victim Participation in Pre-Trial Proceedings", 20 August 2025, ICC-01/21-01/25-237.

<sup>15</sup> Registry, "Registry Report on Group C Applications for Victim Participation in Pre-Trial Proceedings", 20 August 2025, ICC-01/21-01/25-239-Conf-Exp. A public redacted version was issued on the same date, ICC-01/21-01/25-239-Red.

<sup>16</sup> Group C Report, paras. 13-17.

<sup>17</sup> Group C Report, paras. 18-23.

<sup>18</sup> Order, para. 55.

## V. Submissions

14. Between 6 July<sup>19</sup> and 18 August 2025,<sup>20</sup> the VPRS registered a total of 322 application forms in the Duterte case.<sup>21</sup> This number excludes 29 additional forms received, which were assessed as duplicates<sup>22</sup> and one application which was withdrawn.
15. In 18 of the 322 applications, the applicants expressed their wish to only apply for reparations. These applications were registered in the VPRS database, but they were not considered at the present stage of proceedings.
16. Therefore, the total number of applications assessed by the VPRS for participation in the pre-trial proceedings is 304.<sup>23</sup>

### A. Assessment criteria for Group A applications

17. In conducting its *prima facie* assessment in accordance with the Order,<sup>24</sup> the VPRS verified that applicants have met the following criteria:
- i. Their identity as natural persons is established;
  - ii. They suffered harm;
  - iii. The harm suffered is the result of crimes Mr Duterte is charged with.
18. In relation to point i. above, the VPRS notes that applications in Group A may contain minor discrepancies pertaining to, *inter alia*, the spelling of the applicants' names, their age or date of birth. In these cases, in line with well-

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<sup>19</sup> One application form was received on 6 July 2025. All remaining forms were received starting on 25 July, with 238 forms received on 3 August 2025. The late receipt of the forms was reportedly the consequence of the lack of clarity regarding the scope of the Case.

<sup>20</sup> In light of the deadlines set in the Order for the transmission of applications to the Chamber, i.e. 20 and 27 August 2025, the VPRS invited victims and their representatives to submit application forms to the VPRS by no later than 3 August 2025. However, the VPRS continued registration and data entry for forms received after the deadline of 3 August 2025.

<sup>21</sup> 182 applicants submitted forms individually — 150 using the individual form and 32 using the household form for a single person. 140 household forms were submitted for multiple applicants.

<sup>22</sup> When multiple application forms were submitted by the same applicant, the VPRS consolidated them under one reference number.

<sup>23</sup> The number previously reported in the Group C Report (i.e. 303) included applications registered up to 15 August 2025. To date, the legal processing of all forms received remains ongoing.

<sup>24</sup> Order, para. 55.

established case law, the VPRS applied a degree of flexibility and considered that the discrepancies present in these applications do not call into question the overall credibility of the information provided by the applicant.

19. In reference to point iii. above, the VPRS recalls that, in line with the Chamber's order to "assess all victim applications received [...] against the charges alleged in the DCC and the related PCB",<sup>25</sup> it only assessed as Group A applications those forms related to the 78 victims of murder or attempted murder listed in the DCC.<sup>26</sup> As previously noted in the Group C Report, given that the DCC was issued and remains available only in confidential version, the VPRS was not in a position to reach out to victims covered by the charges in order to inform them about their right to participate in the Case.<sup>27</sup> As a result, only 15 applications, introduced on behalf of 29 individuals,<sup>28</sup> were assessed as Group A.
20. The VPRS notes that eight of the 15 applications raise issues regarding completeness for which the VPRS sought clarification in the Group C Report.<sup>29</sup> Notably, in the eight applications, kinship between applicants and the direct victim is established through either: i) declarations from two witnesses supported by the latter's identity documents; ii) notarised statements; or iii) documents not included in the list of approved documents set out in the Order,<sup>30</sup> but which the VPRS recommended to also be approved by the Chamber as sufficient proof of identity.<sup>31</sup> Additionally, for one of the eight applications, the identity of some of the household members is established through declarations from two witnesses accompanied by identity documents

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<sup>25</sup> Order, para. 57.

<sup>26</sup> The VPRS assessed as Group A all applications reporting murders or attempted murders of specific individuals named in the DCC. In order to avoid violating the confidentiality of the DCC and PCB, the VPRS did not attempt to clarify discrepancies between the narratives in the forms and the information contained in the DCC and PCB, as long as the applications clearly referred to the murders and attempted murders covered by the DCC. The VPRS assessed the applications holistically, considering their internal coherence and the overall context of the crimes.

<sup>27</sup> Group C report, para. 21.

<sup>28</sup> Ten individual applications and five household forms introduced on behalf of 19 individuals.

<sup>29</sup> Group C report, paras. 27-30. The completeness related issues are reflected in Annex 2 to the present report.

<sup>30</sup> Order, para. 62.

<sup>31</sup> Group C report, para. 27.

of the witnesses.<sup>32</sup> The VPRS recommends that all applications are considered complete, in line with its Group C Report submissions on completeness.

21. Finally, when multiple application forms were provided by the same applicant (*i.e.* so called "duplicates"), the VPRS consolidated them and conducted its assessment based on the overall account and details provided in the consolidated file.

### **B. Group B applications**

22. The VPRS has assessed as Group B 10 applications clearly falling outside the temporal and/or material scope of the *Duterte* case. The specific reasons for rejecting each application are included in Annex 2.



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

Dated this 27 August 2025

At The Hague, The Netherlands

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<sup>32</sup> The declarations state that the applicants do not have any identity documents and they could not obtain one within the deadline for submission of victims' form for the participation at the confirmation of charges stage.