

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: **English**

No.: **ICC-01/21-01/25**  
Original: **5 March 2026**  
Date: **26 March 2026**

**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 "Defence Response to Prosecution Request ICC-01/21-01/25-406-Conf-Exp", 5 March 2026**

**Source:** Defence for Mr Rodrigo Roa Duterte

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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|--|---|
| <input checked="" type="checkbox"/> The Office of the Prosecutor         | <input checked="" type="checkbox"/> Counsel for the Defence<br>Duterte Defence Team |
| <input checked="" type="checkbox"/> Legal Representatives of the Victims | <input type="checkbox"/> Legal Representatives of the Applicants                    |
| <input type="checkbox"/> Unrepresented Victims                           | <input type="checkbox"/> Unrepresented Applicants<br>(Participation/Reparation)     |
| <input type="checkbox"/> The Office of Public Counsel for Victims        | <input type="checkbox"/> The Office of Public Counsel for the Defence               |
| <input type="checkbox"/> States' Representatives                         | <input type="checkbox"/> Amicus Curiae  |

## REGISTRY

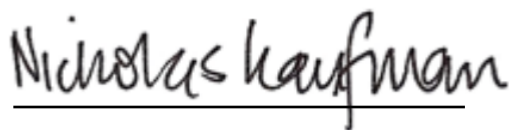
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- |  |  |
|--|--|
| <b>Registrar</b><br>Osvaldo Zavala Giler                               | <input type="checkbox"/> Counsel Support Section |
| <input type="checkbox"/> Victims and Witnesses Unit                    | <input type="checkbox"/> Detention Section       |
| <input type="checkbox"/> Victims Participation and Reparations Section | <input type="checkbox"/> Other                   |

Without needing to trouble the Pre-Trial Chamber, the Defence affirms, confirms, assures and guarantees the following concerning the role of the persons mentioned in the peculiar Prosecution filing: ICC-01/21-01/25-406-Conf-Exp (“the Request”):<sup>1</sup>

- i) they [REDACTED] before the Court [REDACTED];
- ii) they “have not, and will not, receive any disclosure in this case”;
- iii) they “have not, and will not, have access to any non-public filings in this case”;
- iv) they “have not, and will not, receive any other non-public information in relation to this case” (arising out of the conduct of this case); and
- v) they “are not entitled to legally privileged meetings or other communications with Mr Duterte in the Detention Centre”.

Since spring is in the air and Counsel is feeling remarkably benevolent, he will not take offence at the unnecessary nature of the Request and its implied suggestion (or rather insinuation) that he might be violating Article 8 of the Code of Professional Conduct. Considering the Prosecution’s unabated passion for scrutinising the media coverage of this case, Counsel recommends, as he did at confirmation, that the Senior Trial Lawyer should abide by the adage “not to believe everything he reads in the papers” - unless, of course, it relates to Mr Duterte’s innocence.



Nicholas Kaufman  
Counsel for Rodrigo Roa Duterte

Dated this 26<sup>th</sup> day of March 2026

At The Hague, The Netherlands

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<sup>1</sup> Prosecution’s Request for Clarification regarding Defence Counsel, [ICC-01/21-01/25-406-Conf-Exp](#), 4 March 2026, para. 9.