

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 18 March 2025

PRE-TRIAL CHAMBER I

Before: Judge Iulia Antoanella Motoc, Presiding
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 “Notification of the appointment of Mr Nicholas Kaufman as Counsel for Mr Rodrigo Roa Duterte” (ICC-01/21-01/25-92-Conf-Exp, dated 18 March 2025)

With Public Annexes I, II and III

Notification of the appointment of Mr. Nicholas Kaufman as Counsel for Mr Rodrigo Roa Duterte

Source: The Registry

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

- | | |
|--------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> The Office of the Prosecutor | <input checked="" type="checkbox"/> Counsel for the Defence |
| <input 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 (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

- | | |
|-------------------------------------------------------------------------------|--------------------------------------------------------------------|
| Registrar
M. Zavala Giler, Osvaldo | <input checked="" 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 |

I. Introduction

1. The Registry hereby informs Pre-Trial Chamber I (“The Chamber”) that on 14 March 2025, Mr Rodrigo Roa Duterte (“Mr Duterte”) requested in writing to be represented by Mr Nicholas Kaufman (“Mr Kaufman”) in the proceedings before the International Criminal Court (‘the Court’). The appointment has been confirmed by the Registry on 17 March 2025, following Mr Kaufman’s acceptance of the appointment.

II. Procedural history

2. On 19 April 2021, the Presidency assigned the situation in the Republic of the Philippines to the Chamber.¹
3. On 7 March 2025, the Chamber issued a warrant of arrest for Mr Duterte.²
4. On 12 March 2025, Mr Duterte was surrendered to the Court.
5. On 13 March 2025, Registry representatives visited Mr Duterte in relation to his initial appearance before the Chamber. During the visit Mr Duterte confirmed that he wished to be assisted at said appearance by Mr Medialdea and the Office of Public Counsel for the Defence.³

III. Classification

¹ Presidency, “Decision on the assignment of the situation in the Republic of the Philippines”, 19 April 2021, ICC-01/21-1.

² Pre-Trial Chamber I, “Warrant of Arrest for Mr Rodrigo Roa Duterte”, 7 March 2025, ICC-01/21-83.

³ Registry, “Notification of the representation of Mr Rodrigo Roa Duterte during his initial appearance”, 13 March 2025, ICC-01/21-01/25-88.

6. In accordance with regulation 23 *bis*(1) of the Regulations of the Court (“RoC”), the present report is submitted Confidential *Ex Parte* only available to the Defence and the Prosecution as it refers to information provided by Mr Kaufman on 15 March 2025, on a confidential basis, to a member of the Counsel Support Section, the Chamber, the Prosecutor and the Registrar. Its annexes contain no confidential information and are therefore filed as public. A public redacted version of this submission is being filed concomitantly.

IV. Applicable Law

7. The following provisions are of particular relevance to the present submission: article 67 (1)(d) of the Rome Statute, rules 21 and 22 of the Rules of Procedure and Evidence, regulations 23*bis*, 67, 69 and 73 of the RoC, regulations 123 of the Regulations of the Registry and articles 5 and 8 of the Code of Professional Conduct for Counsel.

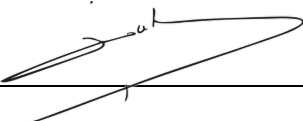
V. Submissions

8. On 14 March 2025, the Registry received a signed letter from Mr Duterte nominating Mr Kaufman as his “lead defence Counsel in the ICC proceedings”.⁴
9. On 17 March 2025, the Registry met with Mr Duterte and he signed the appointment of counsel form whereby he confirms his appointment of Mr Kaufman as his Counsel in the proceedings before the International Criminal Court.⁵ During this meeting, the [REDACTED]. [REDACTED].

⁴ Annex I.

⁵ Annex II.

10. On the same day, Mr Kaufman accepted the mandate, as required by article 11 of the Code of Conduct for Counsel (“the Code”) as well as the solemn Undertaking required by Article 5 of the Code.⁶



Marc Dubuisson, Director of the Division of Judicial Services

on behalf of

Oswaldo Zavala Giler, Registrar

Dated this 18 March 2025

At The Hague, The Netherlands

⁶ Annex III.