

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 11 May 2026

TRIAL CHAMBER III

Before: **Judge Joanna Korner, Presiding Judge**
Judge Keebong Paek
Judge Nicolas Guillou

SITUATION IN THE REPUBLIC OF THE PHILIPPINES

IN THE CASE OF *THE PROSECUTOR v. RODRIGO ROA DUTERTE*

Public

Decision on Request to Withdraw as Counsel for Rodrigo Roa Duterte

Decision 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

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

TRIAL CHAMBER III (the ‘Chamber’) of the International Criminal Court, in the case of *The Prosecutor v. Rodrigo Roa Duterte*, pursuant to Regulation 78(1) of the Regulations of the Court (the ‘Regulations’), issues this ‘Decision on Request to Withdraw as Counsel for Rodrigo Roa Duterte’.

1. On 18 March 2025, the Registry informed Pre-Trial Chamber I of Mr Nicholas Kaufman’s appointment as Counsel for Rodrigo Roa Duterte (the ‘Accused’).¹
2. On 8 May 2026, Mr Kaufman requested, pursuant to Regulation 78(1) of the Regulations, the Chamber’s leave to withdraw as Counsel for the Accused (the ‘Request’).²
3. The Request indicates that the Accused has expressed a desire to release Mr Kaufman from his representation and hire another counsel to replace him. The Request notes that Mr Kaufman has spoken to his replacement counsel, who has confirmed that he is willing and able to assume immediate representation of the Accused and that his terms of engagement have been agreed. Additionally, the Request also states that Mr Kaufman has informed his replacement counsel of pending deadlines and that his replacement counsel has provided assurances that he will be able to attend this case’s next status conference which is set for 27 May 2026.
4. The Chamber notes the following: (i) that the change in Counsel stems from the desire of the Accused; (ii) that the terms of the new legal representation have been agreed by the Accused and the new counsel he has appointed; and (iii) that the new counsel will assume immediate representation and be prepared for the first status conference. Having considered the present stage of the proceedings and the aforementioned factors, the Chamber is of the view that no prejudice arises or inconvenience is caused by accepting Mr Kaufman’s withdrawal.
5. The Chamber reminds Mr Kaufman of his continuing obligations under the Code of Professional Conduct for counsel, as well as any confidentiality obligations

¹ Notification of the appointment of Mr. Nicholas Kaufman as Counsel for Mr Rodrigo Roa Duterte, ICC-01/21-01/25-92-Conf-Exp (a public redacted version of the notification was filed on the same day, ICC-01/21-01/25-92-Red).

² Request for Withdrawal, ICC-01/21-01/25-432, para. 4.

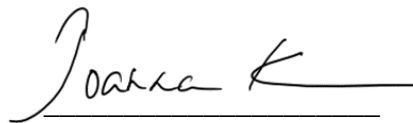
under the Rome Statute and the Rules of Procedure and Evidence. The Chamber appreciates the assurances made by Mr Kaufman in this regard.

6. The Chamber notes that the name of the new counsel has been redacted from the public version of the Request. Since Mr Kaufman has not provided any justification for keeping this confidential, and unless Mr Kaufman provides any reasons to keep his name confidential by COB Monday 11 May 2025, the Registry is instructed to reclassify the Request as public.

FOR THESE REASONS, THE CHAMBER HEREBY

GRANTS the Request.

Done in both English and French, the English version being authoritative.



Judge Joanna Korner
Presiding Judge



Judge Keebong Paek



Judge Nicolas Guillou

Dated this **11 May 2026**

At The Hague, The Netherlands