

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-RoR56-01/24

Date: 5 September 2024

THE PRESIDENCY

Before: Judge Tomoko Akane
Judge Rosario Salvatore Aitala
Judge Reine Alapini-Gansou

Public
with confidential annexes A to C

Registry Observations on “Demande de réexamen à demande d'inscription sur liste experts” and transmission of additional information

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

Mr Osvaldo Zavala Giler

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other
Dr Laure Singla, the Applicant

I. Introduction

1. The Registry herewith provides its observations to Ms Singla's ("Applicant") application for review of the decision of the Registrar issued on 29 July 2024 ("Registrar's decision")¹ rejecting her application for inclusion to the List of Experts pursuant to regulation 56 of the Regulations of the Registry ("Application for Review"), received *via* email on 14 August 2024 by the Applicant.² In submitting these observations, the Registry also draws the Presidency's attention to the transmission of additional documentation in Annexes A to C.

II. Classification

2. The annexes to the present submission are classified confidential pursuant to regulation 23 *bis*(1) of the Regulations of the Court ("RoC") because they contain personal information concerning the Applicant.

III. Procedural History

3. On 29 July 2024, the Registrar issued a decision rejecting Ms Singla's application as she was not considered to meet the requirements to be included in the List of Experts. Therein the Registry specified, in line with regulation 56(2) of the Regulations of the Registry ("RoR"), the procedure on how to apply to the Presidency for review of that decision within 15 calendar days of its notification. It further specified the standard of review before the Presidency.
4. On 14 August 2024, the Registry received *via* email the Applicant's request for review of the Registrar's decision.

¹ Annex.

² Email by the Applicant to listofexperts@icc-cpi.int, dated 14 August 2024 at 14.51.

5. On 4 September 2024, the Registry notified the "Transmission of 'Demande de réexamen à demande d'inscription sur liste experts'"³ with two annexes.
6. On the same day the Applicant submitted to the Registry "pour enregistrement en Annexe C, · Les pièces 1 à 10 annexées à la candidature initiale du 18/08/2024, qui n'ont pas été listées dans les Annexes A et B".⁴

IV. Applicable law

7. The present submissions are based on regulation 44(1) of the RoC and regulation 56 of the RoR.

V. Submissions

A. The Request for Review is not receivable

8. Regulation 56(2) of the RoR allows an Applicant to submit a request for review within 15 days of the notification of the Registrar's decision to refuse the application. The Registry notes that by submitting her Request for Review on 14 August 2024, the Request has been received past this timeline.
9. The Registry further notes that the Applicant does not meet the standard of review before the Presidency. As in line with the standards of judicial review of decisions by the Registrar, any request for review must provide reasoned arguments as to why, in the Applicant's opinion, the Registrar has acted without jurisdiction; committed an error of law; failed to act with procedural fairness; acted in a disproportionate manner; took into account irrelevant factors; failed to take into account relevant factors; or reached a conclusion which no sensible person who has properly applied his or her mind to the issue could have

³ Registry, "Transmission of "Demande de réexamen à demande d'inscription sur liste experts", 4 September 2024, ICC-ROR56-01/24-1.

⁴ E-mail from the Applicant received by judoc@icc-cpi.int on 4 September 2024 at 3:54 PM.

reached. In the Registry's view, the Applicant did not specify how the Registrar erred in his decision or failed to take into account relevant factors. Rather, the Applicant submitted further information and documentation supplementing her application.

10. In light of this, the Registry submits that the Request is not receivable.

B. Additional Observations

11. Notwithstanding the above, the Registry makes the following additional observations.

12. In order to be included in the List of Experts before the Court, an applicant must submit to the Registry a completed application form together with supporting documentation.⁵ Only complete applications are considered. In order to comply with the criteria set out for inclusion on the List of Experts, a candidate must have at least nine years of experience in a field relevant to the Court's proceedings. The fields of expertise sought by the Court are listed on the ICC web page.⁶ The public available information on the web page specifies that if the candidate's field of expertise is not listed amongst the ones sought by the Court, an applicant must sufficiently demonstrate how their field of experience is relevant to the Court proceedings in order for the Registry to make a proper assessment of whether this field may become relevant to the Court proceedings.

13. Based on the documentation submitted by the Applicant, the Registry concluded that she accumulates 15 years of experience in the field of environment-aeronautics and environmental forensics. While the Registry therefore has no concerns as to her level of qualification in this field, the field of environment-aeronautics and environmental forensics is none of the fields generally relevant to the Court proceedings. The Applicant, however, did not provide any explanation as to how his expertise is relevant to the Court's

⁵ Cf. <https://www.icc-cpi.int/get-involved/experts>.

⁶ Available at <https://www.icc-cpi.int/get-involved/Pages/Experts.aspx>.

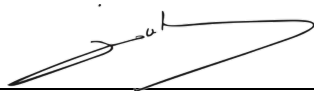
proceedings. In addition, her application was incomplete, leaving out relevant information on page 2 of the Application Form.

14. The Registry therefore considered that the Applicant did not qualify for inclusion on the List of Experts.

VI. Conclusion

15. In light of the above, the Registry observes that the Request for Review is not receivable and therefore requests the Presidency to reject it. Furthermore, the Registry transmits the following:

- Annex A: Annex provided on 4 September 2024 by the Applicant to the Registry.
- Annex B: Initial request made by the Applicant to the Registry.
- Annex C: Decision on the application for inclusion on the List of Experts.


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Marc Dubuisson, Director, Division of Judicial Services

on behalf of

Oswaldo Zavala Giler, Registrar

Dated this 5 September 2024

At The Hague, The Netherlands