

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-RoR56-01/24**
Date: **16 December 2024**

THE PRESIDENCY

Before: Judge Tomoko Akane, President
Judge Rosario Salvatore Aitala, First Vice-President
Judge Reine Alapini-Gansou, Second Vice-President

Public

**Decision on the Application to review the decision of the Registrar denying admission of
Ms Laure Singla to the list of experts**

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

The Office of the Prosecutor

Applicant
Ms Laure Singla

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

The Presidency of the International Criminal Court (the ‘Court’) has before it the application of Ms Laure Singla (the ‘Applicant’) received by the Court on 14 August 2024 for judicial review of a decision issued by the Registrar on 29 July 2024, denying the Applicant inclusion in the list of experts created and maintained by the Registrar pursuant to regulation 44 of the Regulations of the Court (the ‘Application’).¹

The Application is rejected for the reasons set out below.

I. PROCEDURAL HISTORY

1. The Applicant sent a request for inclusion to the list of experts to the Registry, dated 18 June 2024 (the ‘Request for Inclusion’), together with supporting documentation.²
2. On 29 July 2024, the Registrar notified the Applicant of his decision to reject the Request for Inclusion and informed her, *inter alia*, of the 15-day time limit to apply for review before the Presidency (the ‘Impugned Decision’).³
3. On 14 August 2024, the Registry received the present Application for judicial review pursuant to regulation 56(2) of the Regulations of the Registry (the ‘Regulations’),⁴ together with supporting documentation (the ‘Additional Information’).⁵
4. On 4 September 2024, the Registry notified the Application, together with the Additional Information, to the Presidency.⁶
5. On 5 September 2024, the Registrar filed a response to the Application in accordance with regulation 56(3) of the Regulations.⁷

¹ Registry, Annex A, 12 August 2024, ICC-RoR56-01/24-1-Conf-AnxA, *annexed to* Registry, Transmission of “Demande de réexamen à demande d’inscription sur liste experts”, 3 September 2024, ICC-RoR56-01/24-1 (the ‘Transmission’).

² Registry, Annex B, 18 June 2024, ICC-RoR56-01/24-2-Conf-AnxB, *annexed to* Registry, Registry Observations on “Demande de réexamen à demande d’inscription sur liste experts” and transmission of additional information, 5 September 2024, ICC-RoR56-01/24-2 (the ‘Registry’s Response’).

³ Registry, Confidential Annex C, 29 July 2024, ICC-RoR56-01/24-2-Conf-AnxC, pp. 2-3, *annexed to* Registry, Registry Observations on “Demande de réexamen à demande d’inscription sur liste experts” and transmission of additional information, 5 September 2024, ICC-RoR56-01/24-2 (the ‘Registrar’s Response’).

⁴ Application, ICC-RoR56-01/24-1-Conf-AnxA.

⁵ Registry, Annex B, ICC-RoR56-01/24-1-Conf-AnxB, *annexed to* Transmission, ICC-RoR56-01/24-1.

⁶ Transmission, ICC-RoR56-01/24-1. Certain documents listed as annexes in the Application were transmitted to the Presidency as annexes to the Registrar’s Response. See Registry, Annex A, ICC-RoR56-01/24-2-Conf-AnxA.

⁷ Registrar’s Response, ICC-RoR56-01/24-2.

6. On 16 September 2024, the Registry transmitted to the Presidency further documents received by email from the Applicant on 6 September 2024.⁸

II. MERITS

A. Impugned Decision

7. In the Impugned Decision, the Registrar informs the Applicant that, following careful consideration, her Request for Inclusion in the list of experts is denied because the Applicant's expertise in environment-aeronautics and environmental forensics is not sought by the Court and, in addition, the Applicant failed to explain the relevance of her fields of expertise to the Court's proceedings.⁹ The Registrar further informs the Applicant of the standard of review of this decision before the Presidency, and of the 15-day time limit to apply for such review.¹⁰

B. Submissions

8. The Applicant requests the Presidency to reexamine her Request for Inclusion and to be added to the list of experts in the fields of politics and geopolitics, as well as reparations.¹¹ In support, the Applicant elaborates on her professional experience and submits, *inter alia*, a revised request for inclusion to the list of experts which lists these fields of expertise, in addition to the environment, aeronautics and environmental forensics which were listed in her original Request for Inclusion.¹²
9. In response, the Registrar submits that the Application is not receivable as it was submitted after the 15-day time limit provided in regulation 56(2) of the Regulations and does not meet the standard for review before the Presidency.¹³ Notably, the Applicant fails to specify how the Registrar erred in his decision.¹⁴ Moreover, the Registrar reiterates that the fields of expertise listed in the Request for Inclusion are not generally

⁸ Registry, Registry Transmission of documents, 13 September 2024, ICC-RoR56-01/24-3, paras 1, 12.

⁹ Impugned Decision, ICC-RoR56-01/24-2-Conf-AnxC, p. 2.

¹⁰ Impugned Decision, ICC-RoR56-01/24-2-Conf-AnxC, p. 3.

¹¹ Application, ICC-RoR56-01/24-1-Conf-AnxA, pp. 2, 4.

¹² Annex B, ICC-RoR56-01/24-1-Conf-AnxB, p. 4.

¹³ Registrar's Response, ICC-RoR56-01/24-2, paras 8-9.

¹⁴ Registrar's Response, ICC-RoR56-01/24-2, para. 9.

relevant to the Court's proceedings and that the Applicant did not provide any explanation in this regard.¹⁵

C. Determination of the Presidency

10. As regards the timeliness of the Application, the Presidency observes that it was received by the Registry on the first working day of the Court following the expiry of the 15-day time limit provided in regulation 56(2) of the Regulations. This is in line with regulation 33(1)(d) of the Regulations of the Court on the calculation of time limits which provides that documents shall be filed by 4pm on the first working day of the Court following expiry of the time limit. Accordingly, the Presidency considers that the Application was submitted within the time limit prescribed by regulation 56(2) of the Regulations.
11. Turning to the merits, the Presidency recalls that the judicial review of decisions of the Registrar concerns the propriety of the procedure by which the latter reached a particular decision and the outcome of that decision. It involves a consideration of whether the Registrar has: acted without jurisdiction, committed an error of law, failed to act with procedural fairness, acted in a disproportionate manner, taken into account irrelevant factors, failed to take into account relevant factors, or reached a conclusion which no reasonable person who has properly applied his or her mind to the issue could have reached.¹⁶ In order to enable a meaningful judicial review process, any application for judicial review should provide arguments as to why the applicant considers that the decision of the Registrar may warrant review in accordance with this standard.¹⁷ The Presidency further recalls that review by the Presidency is a formal judicial process, which requires a fully reasoned application.¹⁸

¹⁵ Registrar's Response, ICC-RoR56-01/24-2, para. 13.

¹⁶ The standard of judicial review was defined by the Presidency in its [Decision on the Application to Review the Registrar's Decision Denying the Admission of Mr Ernest Midagu Bahati to the list of Counsel](#), 20 December 2005, ICC-RoC72-02/05, para. 16; and supplemented in its Decision on the application to review the decision of the Registrar denying [REDACTED] privileged visits with Mr Lubanga Dyilo, under regulation 221 of the Regulations of the Registry, 27 November 2006, ICC-01/04-01/06-731-Conf, para. 24. *See also* Presidency, [Reasons for the 'Decision on the "Application for Review of Decision of the Registrar's Division of Victims and Counsel dated 2 January 2008 not to Admit Prof. Dr. Sluiter to the List of Counsel"'](#), 10 July 2008, ICC-RoC72-01/08-10, para. 20; Presidency, [Decision on the application to review the decision of the Registrar denying the admission of Ms Magdalena Ayoade to the list of experts](#), 6 August 2009, ICC-RoR56-01/09-2, para. 11.

¹⁷ Presidency, [Decision on the Application to review the decision of the Registrar denying admission of Mr Jean-Jacques Aernout to the list of experts](#), 13 March 2023, ICC-RoR56-01/23-2, para. 11 (the 'Presidency Decision of 13 March 2023').

¹⁸ [Presidency Decision of 13 March 2023](#), ICC-RoR56-01/23-2, para. 10.

12. The Impugned Decision clearly informed the Applicant of the judicial review process contemplated by regulation 56(2) of the Regulations, including the applicable standard of review applied by the Presidency and the need for the Applicant to provide a fully reasoned application. Nonetheless, the Application does not develop any arguments capable of supporting an application for judicial review. The Applicant merely elaborates on her experience but fails to identify any error in the Impugned Decision with respect to the Registrar's determination that the Applicant's expertise, as specified in the Request for Inclusion, is not being sought by the Court. As regards the additional fields of expertise of politics, geopolitics and reparations identified in the Application and listed as fields of expertise sought by the Court on the Court's website, the Presidency notes that they were not part of the original Request for Inclusion and hence fall outside the scope of the present judicial review.
13. For these reasons, the Presidency considers that the Applicant failed to demonstrate that judicial review of the Impugned Decision is warranted. The denial of the Application is without prejudice to the Applicant either submitting a new application for inclusion in the list of experts in an area of expertise sought by the Court or the Registrar assessing anew her expertise, should the needs of the Court change.

The Application is rejected.

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



Judge Tomoko Akane
President



Judge Rosario Salvatore Aitala
First Vice-President



Judge Reine Alapini-Gansou
Second Vice-President

Dated this 16 December 2024

At The Hague, The Netherlands