

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-RoR56-01/25**
Date of original: **15 August 2025**
Date: **3 September 2025**

THE PRESIDENCY

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

Public

Public redacted version of ‘Decision on the Application to review the decision of the Registrar denying admission of [REDACTED] to the list of experts’ dated 15 August 2025 (ICC-RoR56-01/25-2-Conf)

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

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- | | |
|---|--|
| Registrar
Mr Zavala Giler, Osvaldo | ☐ Counsel Support Section |
| ☐ Victims and Witnesses Unit | ☐ Detention Section |
| ☐ Victims Participation and Reparations
Section | ☒ Other
Applicant |

The Presidency of the International Criminal Court (the ‘Court’) has before it the application of [REDACTED] (the ‘Applicant’) received by the Court on 17 July 2025 seeking judicial review of a decision issued on 17 July 2025, 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. On 16 June 2025, the Registry received from the Applicant a request for inclusion in the list of experts, dated 10 June 2025 (the ‘Request for Inclusion’), together with supporting documentation.²
2. On 8 July 2025, the Registry transmitted the Applicant’s Request for Inclusion to an independent expert tasked with assessing the expertise of applicants to the list of experts.³
3. On 14 July 2025, the Registry received the assessment of the expert which suggested not retaining the Applicant’s Request for Inclusion on the basis that his work experience and research activities cover numerous areas which are not related to the Court’s mandate.⁴
4. On 17 July 2025, the Registry decided to reject the Request for Inclusion and informed the Applicant, *inter alia*, of the 15-day time limit to apply for review before the Presidency (the ‘Impugned Decision’).⁵
5. On the same day, on 17 July 2025, the Registry received the present Application for judicial review pursuant to regulation 56(2) of the Regulations of the Registry (the ‘Regulations’).⁶

¹ Registry, Annex V, 21 July 2025, ICC-RoR56-01/25-1-Conf-AnxV, *annexed to* Registry, Registry Transmission of an Application for Review of the Registrar’s Decision Refusing Inclusion to the List of Experts, 21 July 2025, ICC-RoR56-01/25-1 (the ‘Registry Transmission’).

² Registry, Annex I, 21 July 2025, ICC-RoR56-01/25-1-Conf-AnxI, *annexed to* Registry Transmission, ICC-RoR56-01/25-1; Registry, Annex II, 21 July 2025, ICC-RoR56-01/25-1-Conf-AnxII, *annexed to* Registry Transmission, ICC-RoR56-01/25-1.

³ Registry Transmission, ICC-RoR56-01/25-1, para. 4.

⁴ Registry, Annex III, 21 July 2025, ICC-RoR56-01/25-1-Conf-AnxIII, *annexed to* Registry Transmission, ICC-RoR56-01/25-1.

⁵ Registry, Annex IV, 21 July 2025, ICC-RoR56-01/25-1-Conf-AnxIV, *annexed to* Registry Transmission, ICC-RoR56-01/25-1.

⁶ Application, ICC-RoR56-01/25-1-Conf-AnxV.

6. On 21 July 2025, the Registry transmitted the Application to the Presidency, attaching thereto all the above mentioned documents.⁷

II. MERITS

A. Impugned Decision

7. In the Impugned Decision, the Registry informs the Applicant that, following careful consideration, his Request for Inclusion in the list of experts is denied because his application does not fulfil the formal requirements pursuant to regulation 56(1) of the Regulations and as indicated on the Court's website, such as demonstrating how the Applicant's expertise is relevant to the Court's proceedings.⁸ The Impugned Decision finds that the information provided by the Applicant on his expertise and experience lacks the necessary clarity for a comprehensive assessment, and that the supporting documents were largely provided in Chinese, which limited the ability to evaluate their content.⁹ The Impugned Decision 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 reconsider his Request for Inclusion.¹¹ In support, the Applicant further explains his professional experience in trauma and criminal psychology and ballistic analysis, noting that his experience is of a 'non-traditional and cross-disciplinary nature'.¹² As regards his experience in trauma and criminal psychology, the Applicant submits that it is mainly the result of his underground voluntary work which is largely undocumented, that he only joined professional associations in 2023 and 2024, and that he has relevant experience in the cinematic industry.¹³ As regards his experience in ballistic analysis, the Applicant refers to experience and academic work in signal analysis, astrophysics and mathematics.¹⁴

⁷ Registry Transmission, ICC-RoR56-01/25-1.

⁸ Impugned Decision, ICC-RoR56-01/25-1-Conf-AnxIV, p. 2.

⁹ Impugned Decision, ICC-RoR56-01/25-1-Conf-AnxIV, p. 2.

¹⁰ Impugned Decision, ICC-RoR56-01/25-1-Conf-AnxIV, p. 3.

¹¹ Application, ICC-RoR56-01/25-1-Conf-AnxV, pp. 1-2.

¹² Application, ICC-RoR56-01/25-1-Conf-AnxV, p. 1.

¹³ Application, ICC-RoR56-01/25-1-Conf-AnxV, p. 1.

¹⁴ Application, ICC-RoR56-01/25-1-Conf-AnxV, p. 2.

C. Determination of the Presidency

9. 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.¹⁵ 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.¹⁶ The Presidency further recalls that review by the Presidency is a formal judicial process, which requires a fully reasoned application.¹⁷
10. 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. The Presidency observes that the Impugned Decision clearly explains that the Request for Inclusion lacked the necessary clarity and focus for its comprehensive assessment and that, for this reason, the Applicant cannot be included in the list of experts. The Application fails to establish any error in the Impugned Decision's determination that the information provided by the Applicant did not allow for a comprehensive assessment of his fields of expertise and experience, or that the Impugned Decision is otherwise erroneous. The Presidency concurs with the Impugned Decision's assessment that the Applicant has failed to provide sufficient information to enable

¹⁵ 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.

¹⁶ 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').

¹⁷ [Presidency Decision of 13 March 2023](#), ICC-RoR56-01/23-2, para. 10.

adequate assessment of his expertise or its relevance to the work of the Court. The Presidency is also not of the view that the medical diagnosis of the Applicant had any impact on the assessment of the Request for Inclusion by the Registry.

11. For these reasons, the Presidency considers that the Applicant failed to demonstrate that judicial review of the Impugned Decision is warranted.

III. CLASSIFICATION

12. In view of the confidential classification of the Impugned Decision, the Request for Inclusion, as well as the Application and the supporting documents, the present decision is classified as confidential. The Presidency takes the view, however, that this decision could be of relevance more broadly to future applicants for inclusion in the list of experts. The Presidency hereby indicates its intention to file a public redacted version of the present decision, with the name of the Applicant redacted. If there is any other information requiring redaction prior to publication, the Applicant and/or the Registrar may inform the Presidency thereof no later than by 4pm on 1 September 2025, by way of a filing communicated through the Court Management Section (judoc@icc-cpi.int).

THE PRESIDENCY HEREBY

REJECTS the Application.

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 15 August 2025

At The Hague, The Netherlands