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of the Registry

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Chapter 1 General Provisions

Regulation 1
Adoption of these Regulations

1. These Regulations have been adopted pursuant to rule 14 and shall be read subject to the Statute, the Rules and the Regulations of the Court.

2. These Regulations have been adopted in English and French. Translations in the official languages of the Court are equally authentic.

Regulation 2
Use of terms

1. In these Regulations:

- "Advisory Committee" refers to the Advisory Committee on Legal Texts established by regulation 4 of the Regulations of the Court;

- "article" refers to an article of the Statute;

- "assistant to counsel" refers to persons assisting counsel as described in rule 22, sub-rule 1, and in regulation 68 of the Regulations of the Court;

- "Chamber" refers to a Chamber of the Court;

- "Chief Custody Officer" refers to the officer appointed by the Court as the head of the staff of the detention centre;

- "counsel" refers to a defence counsel and a legal representative of a victim;

- "Court" refers to the International Criminal Court;

- "detained person" refers to any person detained in a detention centre;

- "detention centre" refers to any prison facility other than the prison facility described in article 103, paragraph 4, maintained by the Court or maintained by other authorities and made available to the Court;

- "host State" refers to the Netherlands;

- "judge" refers to a judge of the Court;

- "list of counsel" refers to the list of counsel as described in rule 21, sub-rule 2;

- "medical officer" refers to the medical officer of a detention centre as described in regulation 155;

- "persons at risk" refers to any person at risk on account of testimony given by a witness pursuant to article 68, paragraphs 1 and 2, as described in rule 87, sub-rule 1;

- "Presidency" refers to the organ of the Court as described in article 34 comprised of the President and the First and Second Vice-Presidents of the Court;

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- "President" refers to the President of the Court;

- "Presiding Judge" refers to the Presiding Judge of a Chamber;

- "Prosecutor" refers to the Prosecutor of the Court;

- "Registrar" refers to the Registrar of the Court;

- "regulation" refers to a regulation of the Regulations of the Registry;

- "Regulations" refers to the Regulations of the Registry;

- "rule" refers to a rule of the Rules of Procedure and Evidence including provisional rules drawn up under article 51, paragraph 3;

- "Rules" refers to the Rules of Procedure and Evidence;

- "Statute" refers to the Rome Statute of the International Criminal Court.

2. In these Regulations the singular shall include the plural and vice versa.

Regulation 3
Designation of members of the Advisory Committee on Legal Texts

1. The Registrar shall designate the Registry representative to the Advisory Committee.

2. The representative of counsel included in the list of counsel shall be elected as follows:

   (a) The Registrar shall set the schedule for the elections and inform counsel on the list of counsel by letter. Those who wish to stand for election shall announce their candidacy by way of postal or courier services within thirty calendar days of the date of dispatch of the letter; if no candidate stands, all counsel on the list of counsel shall be eligible.

   (b) When the period referred to in (a) has expired, the Registrar shall distribute the list of candidates to all counsel on the list of counsel by way of postal or courier services. They may cast their vote for one of the candidates within thirty calendar days of the date of dispatch.

   (c) The vote shall be secret. Counsel shall vote by returning a confidential voting slip by postal or courier services to the Registry. All correspondence received shall be treated with due regard for confidentiality. Only votes sent before the expiry of the deadline set out in (b) shall be counted, the postmark or receipt of the courier operator being proof thereof.

   (d) Once the ballot has closed, the Registry shall count the votes and submit the results to the Registrar.

   (e) The candidate having obtained a relative majority of the votes cast shall be elected. If two or more candidates obtain the same number of votes, lots shall be drawn between them.

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(f) The Registrar shall notify the successful candidate of his or her election to the Advisory Committee, inform counsel on the list of counsel of the outcome of the election and have the results published on the Court website.

(g) Within thirty calendar days of the publication of the results, candidates who have not been elected may file a complaint with the Registrar concerning any issue relating to the election procedure. After having considered the complaint, the Registrar shall take a decision.

(h) Within thirty calendar days of the notification of the decision taken by the Registrar, any candidate whose complaint has been rejected may ask the Presidency to review the matter. In this event, the Registrar shall transmit the entire file to the Presidency.

(i) The Registrar may file a response within fifteen calendar days of notification of the application for review.

(j) The Presidency may ask the Registrar to provide any additional information necessary for a decision on the application. The decision of the Presidency shall be final.

3. Counsel elected shall serve as a member of the Advisory Committee for a period of three years. He or she may be re-elected once.

Regulation 4
Amendments to these Regulations

1. Any proposal for amendments to these Regulations shall be accompanied by explanatory material, and those documents shall be presented in writing to the Registrar in both working languages of the Court.

2. Having made an initial assessment of the relevance of the proposal, and having consulted the Prosecutor on any matters which may affect the operation of the Office of the Prosecutor, the Registrar shall submit the proposal for amendments as well as any explanatory material referred to in sub-regulation 1 to the Presidency for approval.

3. Amendments to these Regulations shall not be applied retroactively to the detriment of the person to whom article 55, paragraph 2, or article 58 applies, the accused, convicted or acquitted person.

4. Amendments to these Regulations shall not be prejudicial to the rights of other participants in the proceedings.

Regulation 5
Publication of the Official Journal

1. The Registrar shall be responsible for publishing the Official Journal of the Court.

2. Texts, amendments and material referred to in regulation 7, sub-regulation 1, of the Regulations of the Court, shall be sent to the address judoc@icc-cpi.int for publication in the Official Journal once approved by the relevant authority.

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Regulation 6
Website of the Court

The Registrar shall have administrative responsibility for the publication of the website of the Court.

Regulation 7
Tableau de bord

1. The *tableau de bord* is a compilation of proceedings-related information available to the Registrar. It is updated on a regular basis as decided by the Registrar and forwarded to him or her by the competent persons from the relevant services within the Registry.

2. The *tableau de bord* is made available to all organs of the Court.

Regulation 8
Presence in the field

In order to fulfil his or her obligations under the Statute and the Rules, the Registrar may, subject to the prior approval of the President and on the basis of an ad hoc arrangement or an agreement with the State concerned, maintain a presence of Registry staff in the field and, where necessary, establish a field office.

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Chapter 2 Proceedings before the Court

Section 1 Provisions related to all stages of the proceedings

Subsection 1 General provisions

Regulation 9
Non-compliance with the Regulations of the Court or with orders of a Chamber

The Registrar shall inform the Chamber as soon as he or she becomes aware of a case that in his or her opinion does not comply with the provisions of the Regulations of the Court or with an order or deadline set by the Court.

Regulation 10
Electronic system

1. The electronic system is an information system which manages and provides access to documents, material, orders and decisions.

2. In consultation with the relevant organs of the Court and participants, the Registrar shall establish and update a list of persons authorised in the proceedings to access, through the electronic system, documents, material, orders and decisions.

3. Indexes and statistics shall be created by and be readily available in the electronic system.

Regulation 11
Templates for use during the proceedings

In order to ensure the appropriate formatting of documents for use during the proceedings before the Court, the Registrar shall produce templates for approval by the Presidency in accordance with regulation 23, sub-regulation 2, of the Regulations of the Court.

Regulation 12
Templates and standard forms for the administration and servicing of the Court

The Registrar shall issue any templates and standard forms necessary for the administration and servicing of the Court and inform the Presidency thereof.

Regulation 13
Electronic signature

1. The term "electronic signature" shall refer to the method by which an electronic document, material, order or decision can be signed. An electronic signature shall be used to authenticate the identity of a sender and to ensure that the original content is not altered in any way.

2. The Registry shall provide Chambers and participants with an electronic signature for use during the proceedings.

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Regulation 14
Levels of confidentiality

Documents, material, orders and decisions may be classified as follows:

(a) Public: available to the public;

(b) Confidential: not to be disclosed to the public; or

(c) Under seal: confidential; accessible and known only to a limited number of persons. Each organ and/or participant shall compile and maintain a list of persons who have had access to each document, material, order or decision under seal.

Subsection 2 Access and storage

Regulation 15
Registry vault

1. An area within the Registry shall be designated as the Registry vault and shall contain a safe.

2. Staff members authorised to access the Registry vault shall be designated in writing by the Registrar.

Regulation 16
Access to the record and to the original form of evidence and audiovisual recordings of the proceedings

1. In general, the record shall be accessible through the electronic system provided for in regulation 10, sub-regulation 1.

2. The original form of evidence and of audiovisual recordings of proceedings shall be stored in the Registry vault.

3. Chambers and participants may consult the original form of evidence or of audiovisual recordings of proceedings, depending on the level of confidentiality of the evidence or recording. Experts or other specified persons may consult the original form of evidence or of audiovisual recordings of proceedings, subject to an order of the Chamber.

4. Consultation of the original form of evidence or of audiovisual recordings of proceedings shall be requested using the approved standard form and shall be recorded by the Registry. Such consultation shall occur in the area designated within the Registry and under the supervision of a representative of the Registry in order to prevent any alteration from being made.

5. In exceptional circumstances, Chambers, participants, experts and other specified persons may request to consult the original form of evidence or of audiovisual recordings of proceedings outside the area designated within the Registry for a period not to exceed 24 hours. Reasons for such a request shall be indicated on the standard form. The same procedure shall apply where consultation is requested outside the designated area within the Registry for a period exceeding 24 hours.

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Regulation 17
Copies of audio and video recordings of proceedings

1. Copies of the audio and video recordings of proceedings may be provided upon request, with or without payment of a fee, and subject to the authorisation of the Registrar.

2. Participants shall be provided with copies of the audio and video recordings of proceedings, upon request and without payment of a fee, unless the Registrar decides otherwise for reasons relating to the availability of resources.

Regulation 18
Implementation of orders of a Chamber for disclosure of a record of closed proceedings

1. When the Chamber orders the disclosure of all or part of the record of closed proceedings in accordance with rule 137, sub-rule 2, and regulation 20, sub-regulation 3, of the Regulations of the Court, the Registrar shall proceed in accordance with rule 16, sub-rule 2 (b).

2. In implementing an order as referred to in sub-regulation 1, and within the limits of that order, the Registrar shall ensure, if possible with the assistance of the participants, the security or safety of victims, witnesses or other persons at risk.

Regulation 19
Archives

1. Documents, material, orders and decisions not pertaining to a pending situation or case shall be stored and preserved in the archives of the Registry.

2. Regulation 16 shall apply *mutatis mutandis*.

3. A copy shall be made of archived documents, material, orders and decisions and kept safely in a secure location outside the premises of the Court.

Subsection 3 Composition of situation or case record

Regulation 20
Opening of a situation or case record

1. The Registry shall open a situation record once the Presidency has assigned the situation to a Pre-Trial Chamber pursuant to regulation 46, sub-regulation 2, of the Regulations of the Court, or as ordered by a Chamber or the President of a Division.

2. Subject to an order of a Chamber, the Registry shall open a case record upon receipt of an application requesting the issuance of a warrant of arrest or a summons to appear pursuant to article 58.

3. Upon opening a situation or case record, the Registry shall:

   (a) Assign it a situation or case number in accordance with regulation 27, sub-regulation 1, and communicate that number to the Chamber and to the participants; and

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(b) Provide the judges assigned and, where necessary, the participants, with access to the electronic system provided for in regulation 10, sub-regulation 1.

Regulation 21
Content of a situation or case record

1. The situation or case record shall be registered in the electronic system provided for in regulation 10, sub-regulation 1, in accordance with the registration procedure set out in subsection 4 of section 1 of this chapter.

2. The situation or case record shall be a full and accurate record of all proceedings and shall contain, *inter alia*:

(a) Orders and decisions by the Presidency and a Chamber;

(b) Documents and material as originally filed with the Registry by a participant;

(c) The evidence communicated to the Pre-Trial Chamber pursuant to rule 121, sub-rule 2 (c);

(d) Situation or case-related correspondence addressed to the Registry;

(e) Official translations;

(f) Items, if any, transferred in accordance with regulation 22;

(g) The evidence as registered by the Registry in accordance with regulation 28;

(h) The list of witnesses called in the proceedings maintained by the Registry in accordance with regulation 55;

(i) The list of the victims authorised to participate in the proceedings maintained by the Registry;

(j) The list of the victims asking for reparations maintained by the Registry;

(k) The transcripts and indexes to the transcripts in accordance with regulation 50 (b) and (c) and regulation 51;

(l) The confidential minutes of the proceedings, if any, as drafted by the court officer in accordance with regulation 40, sub-regulation 4;

(m) The reference to the oral decisions of the Chamber maintained by the Registry;

(n) The audio and video recordings of proceedings;

(o) The notification form provided for in regulation 31, sub-regulation 2, of the Regulations of the Court; and

(p) Any other item pursuant to an order of a Chamber or the Presidency.

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3. Subject to an order of the Chamber, the case record shall also contain the record of the situation related to the case at hand. Prior to the transfer of the situation record, the Registry shall inform the Chamber so that it may, where necessary, issue an order restricting the transfer.

Regulation 22
Transfer from one record to another

Following an order of the Chamber, all or part of one situation or case record shall be transferred to another situation or case record, for reasons relating to, inter alia, a joinder or separation of trials under rule 136.

Regulation 23
Stamp certifying copies

A stamp indicating that copies are exact replicas of the originals and confirming that documents, material, orders or decisions are certified copies shall be placed in the header of each page of the document, order or decision or on the material itself.

Subsection 4 Registration procedures

Regulation 24
Filing of documents, material, orders and decisions with the Registry

1. Documents, material, orders and decisions may be filed with the Registry by hand, by post or by electronic means, provided that an electronic signature is inserted in the latter case.

2. Documents, material, orders and decisions filed with the Registry shall state the information referred to in regulation 23, sub-regulation 1, of the Regulations of the Court, and the level of confidentiality. Templates shall be used if available.

3. The Presidency, a Chamber or a participant filing a document or material which requires urgent measures to be taken shall insert the word "URGENT" on the cover page in capital letters. Outside the filing hours described in regulation 33, sub-regulation 2, of the Regulations of the Court, the Presidency, the Chamber or the participant requesting urgent measures shall contact the duty officer provided for in regulation 39.

4. Where proceedings are held without notification of one or more of the participants, or where they do not have an opportunity to voice their arguments, documents, material and orders shall be filed *ex parte*. The words "*EX PARTE*" shall be inserted on the cover page in capital letters and the recipients other than the Chamber shall be specified after the phrase "only available to".

5. If filed electronically, documents, material, orders and decisions shall be sent to the following email address: judoc@icc-cpi.int.

6. If filed by hand or by post, documents, material, orders and decisions shall be submitted to the court management section within the Registry.

7. Documents, material, orders and decisions filed after the filing hours described in regulation 33, sub-regulation 2, of the Regulations of the Court, shall be registered during filing hours on the next working day.

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Regulation 25
Review of the index of the appendices

The Registry shall review the index submitted by participants in accordance with regulation 36, sub-regulation 3, of the Regulations of the Court, on the basis of the guidelines established in consultation with the Presidency which include a list of commonly-used documents and material which do not need to be filed.

Regulation 26
Registration of documents, material, orders and decisions

1. Documents, material, orders and decisions filed in accordance with regulation 24 shall be registered by the Registry in the electronic system provided for in regulation 10, sub-regulation 1.

2. Documents, material, orders and decisions filed in hard copy shall be converted into image file format. The Registry shall ensure that documents, material, orders and decisions are not altered in any way.

3. Documents, material, orders and decisions shall be registered in chronological order, and the following registration reference shall be indicated on the header of each page or on the material itself:

   (a) The registration number in accordance with regulation 27;

   (b) The registration date;

   (c) The page numbers, which shall start with number 1 for each new document, material, order or decision page numbering;

   (d) The initials of the registering person; and

   (e) The letters indicating the phase of the proceedings during which the document, material, order or decision has been registered.

4. For the purposes of sub-regulation 3 (e), the following letters shall be used:

   (a) "PT" for the pre-trial phase;

   (b) "T" for the trial phase;

   (c) "A" for the appeals phase for appeals under rule 150. If more than one appeal in the same case is lodged, a consecutive number shall be included after the letter "A", starting with the number 2;

   (d) "OA" for appeals under rules 154 or 155, preceded by the letter or letters indicating the phase of the proceeding in which the appeal is lodged. If more than one appeal in the same phase of the proceeding, and in the same situation or the same case is lodged, a consecutive number shall be included after the letters "OA", starting with the number 2;

   (e) "RN" for the revision phase; and

   (f) "RW" for the review concerning reduction of sentence under article 110.

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Regulation 27
Numbering procedure

1. The situation or case number shall be composed as follows:

   (a) First, the acronym "ICC", for the International Criminal Court;

   (b) Second, the serial number of the situation in a given year; and

   (c) Third, as soon as a case starts, the serial number of the case in a given year.

2. The registration number referred to in regulation 26, sub-regulation 3 (a), shall be inserted as follows:

   (a) A serial number shall be added to the situation or case number, starting with number 1 for the first document, material, order or decision in the situation or case; and

   (b) The following abbreviations shall be added, as appropriate:

      (i) "Corr", indicating that it is a *corrigendum*;

      (ii) "Conf", indicating that the document, material, order or decision is confidential;

      (iii) "Exp", indicating that the document, material, order or decision is *ex parte*; and

      (iv) "t", indicating that the document, material, order or decision is a translation, followed by the standard international abbreviation for the language in question.

Regulation 28
Numbering and registration of evidence during a hearing

1. Evidence submitted by participants during a hearing or produced during a hearing following an order of the Chamber shall be numbered as follows:

   (a) First, the acronym "ICC" for the International Criminal Court;

   (b) Second, the situation or case number;

   (c) Third, the letters "EVD" for evidence; and

   (d) Fourth, the evidence number assigned by the court officer.

2. The evidence number under sub-regulation 1 (d) shall be composed of:

   (a) The letter "C" for Chamber, where the evidence is produced following an order of the Chamber; or

   (b) A letter indicating the participant submitting the evidence: "D" for Defence; "P" for Prosecution; "V" for Victims;

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(c) A serial number indicating the order of presentation;

(d) Where there are several accused, the reference of the accused on behalf of whom the evidence was submitted; and

(e) Where there are several victims or groups of victims, the reference, including any protective references of the victim(s) on behalf of whom the evidence was submitted.

3. The following information shall be registered:

(a) The situation or case number;

(b) The name of the participant submitting the evidence or the indication that the evidence was produced following an order of the Chamber and the date of such order;

(c) The date of the submission or production of the evidence;

(d) The electronic number;

(e) A brief description of the evidence;

(f) The initials of the court officer registering the evidence;

(g) Information, if any, about previous disclosure of the evidence;

(h) The ruling, if any, on the admission of the evidence by the Chamber;

(i) Whether an objection was raised against the relevance and/or admissibility of the evidence, and if so, by whom; and

(j) The level of confidentiality, if any.

Regulation 29
Numbering and registration of documents and material other than evidence presented during a hearing

1. Where documents or material other than evidence are submitted by participants during a hearing or produced following an order of a Chamber and where the Chamber orders their registration in the situation or case record, they shall be numbered as follows:

(a) First, the acronym "ICC" for the International Criminal Court;

(b) Second, the situation or case number;

(c) Third, the letters "HNE" for hearing not evidence ; and

(d) Fourth, the number assigned by the court officer.

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2. The following information shall be registered:

(a) The date of registration;

(b) The name of the participant submitting the document or material or the indication that the evidence was produced following an order of the Chamber and the date of such order;

(c) Whether objections were raised against its registration, and if so, by whom;

(d) The level of confidentiality, if any; and

(e) The relevant references in the transcript.

Regulation 30
Registration of correspondence

Situation or case-related correspondence addressed to the Registry shall be registered in the appropriate correspondence record in the electronic system.

Regulation 31
Registration of audiovisual recordings of proceedings

1. The audiovisual recordings of proceedings shall be available in electronic format.

2. The following information shall be registered:

(a) The type of material;

(b) The situation or case number;

(c) The date and time of registration;

(d) The initials of the registering person;

(e) The type of proceedings;

(f) The level of confidentiality of the proceedings;

(g) The language(s) spoken; and

(h) The location in the Registry vault.

3. The initial form of the audiovisual recordings shall be labelled with the same information listed in sub-regulation 2 and shall be stored in the Registry vault.

Regulation 32
Numbering and registration of the transcript

1. The transcript shall be numbered as follows:

(a) First, the acronym "ICC" for the International Criminal Court;

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(b) Second, the situation or case number;

(c) Third, the letter "T" for transcript ; and

(d) Fourth, a serial number.

2. The following information shall be registered:

(a) The situation or case number;

(b) The stage of the proceedings;

(c) The date of the proceedings;

(d) The type of proceedings;

(e) The level of confidentiality of the proceedings;

(f) The language(s) of the proceedings; and

(g) The version of the transcript in accordance with regulation 50.

Regulation 33
Registration of communications

1. A communication addressed to the Presidency, the President, a Chamber, a judge, the Registrar or the Registry which does not pertain to a situation for which a record has been opened pursuant to regulation 20, sub-regulation 1, shall be registered in a communication record and numbered as follows:

(a) First, the acronym "ICC" for the International Criminal Court;

(b) Second, the abbreviation "COM" for communication;

(c) Third, the year of registration; and

(d) Fourth, the serial number for the communication registered in a given year.

2. The following information shall be registered:

(a) The full name of the sender, if available;

(b) The address of the sender, if available;

(c) The date on which the communication was received;

(d) The date on which the communication was registered;

(e) The country or region to which the communication relates; and

(f) The level of confidentiality, if any.

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3. If a situation record is opened after a communication has been registered, the communication record shall be transferred to the situation record, subject to an order of the Chamber. Prior to the transfer of the communication record, the Registry shall inform the Chamber so that it may, where necessary, issue an order restricting the transfer.

Subsection 5 Notification

Regulation 34
Method of notification

1. Documents, material, orders or decisions shall be notified as an email attachment. The email shall constitute the notification form provided for in regulation 31, sub-regulation 2, of the Regulations of the Court.

2. The notification form shall contain the following information:

   (a) The situation or case number;

   (b) The filing date of the document, material, order or decision;

   (c) The registration date;

   (d) The title of the document, material, order or decision;

   (e) The notification date;

   (f) The recipient(s) of the document, material, order or decision; and

   (g) The level of confidentiality of the document, material, order or decision.

3. Where it is not possible to notify documents, material, orders or decisions electronically, they shall be notified by facsimile, by post or by hand together with a notification form. Sub-regulation 2 shall apply *mutatis mutandis*.

4. Notification forms shall be stored and indexed in the relevant situation or case record.

Regulation 35
Method of notification by way of personal service

1. In the cases listed in regulation 31, sub-regulation 3, of the Regulations of the Court, a copy of the document, order or decision certified, in accordance with regulation 23, shall be handed in person to the recipient, and shall be, where required, in the language of the recipient.

2. A memorandum of service shall be appended to the document, order or decision. The memorandum shall be completed in accordance with regulation 31, sub-regulation 4, of the Regulations of the Court.

3. The memorandum of service shall be registered in the relevant situation or case record.

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Subsection 6 Scheduling of judicial activities

Regulation 36
Scheduling

1. The Registry, in consultation with the Presidency and Chambers, shall establish a calendar of proceedings before the Court. The calendar shall be updated on a regular basis and posted on the website of the Court.

2. The calendar shall state the name and number of the situation or case, the Chamber seized thereof, the date, time and location of the proceedings and whether the proceedings are to be held in public or in closed session.

3. In scheduling proceedings and in case of conflicting orders by Chambers, the Registry shall give precedence to proceedings pursuant to articles 60 and 61 or pertaining, *inter alia*, to interim release, transfer and detention of persons to whom article 58 applies, arrest warrants, protective orders for victims or witnesses, or the transfer of detained witnesses.

Subsection 7 Proceedings

Regulation 37
Management of proceedings

1. The Registry, in concurrence with the Chamber where necessary, shall make all the necessary practical arrangements for proceedings, whether held in public or in closed session.

2. Issues related to the management of proceedings shall be addressed to the Registry.

Regulation 38
Information session on proceedings management

As appropriate, the Registry shall organise for the participants an information session on the functioning of the courtroom and on other practical matters pertaining to the proceedings. Judges and their legal staff shall be invited to attend.

Regulation 39
Duty officer of the Registry

1. The duty roster of officers of the Registry established pursuant to regulation 19 of the Regulations of the Court, shall be made available to the Chambers.

2. The duty officer contact number shall be made available to the participants.

3. The duty officer shall be on duty for a period of seven calendar days.

4. The duty officer shall be responsible for dealing with urgent matters arising outside working hours.

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Regulation 40
Court officer

1. The court officer shall represent the Registrar at proceedings and may be assisted by another Registry representative, as appropriate. He or she shall ensure that the necessary practical arrangements for the conduct of the hearing are in place and shall bring to the attention of the Presiding Judge any information that he or she deems necessary.

2. The court officer shall provide support to the Chamber and participants in respect of procedural matters.

3. During hearings, the court officer shall act as a focal point for all matters relating to transcription services, interpretation services, audiovisual services, as well as to security and technical equipment.

4. Where required, the court officer shall prepare confidential minutes of the proceedings, recording the following information:

   (a) The name and number of the situation or case;

   (b) The date of the proceedings;

   (c) The stage of the proceedings;

   (d) The starting and ending times;

   (e) The type of proceedings;

   (f) Whether the proceedings were held in public or closed session;

   (g) The names and/or any protective references of those present at the proceedings;

   (h) A summary of the oral decisions issued by the Chamber during the proceedings;

   (i) The deadlines set by the Chamber, if any;

   (j) The forthcoming events in the situation or case;

   (k) Whether a recording was made;

   (l) Whether a transcript was requested; and

   (m) Any other relevant comments.

Regulation 41
Audio and video recording of hearings

1. For the purpose of rule 137, audiovisual assistants within the Registry shall ensure a full and accurate audio- and video-recording of the hearings. The audiovisual assistants shall ensure that the decorum of the hearing and the dignity of the persons at the hearing are respected.

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2. In order to ensure that the audio- and video-recordings reflect the hearings faithfully, the following instructions shall be upheld by the Registry:

   (a) As a general rule, whenever a judge speaks, a view of the particular judge or an overall view of the judges' bench shall be selected; during a lengthy address by a judge, such as the reading of a decision, a variety of views may be interspersed;

   (b) As a general rule, the audiovisual assistant shall select a camera view showing the participant addressing the Chamber, whether in close-up or broader view; however, during lengthy presentations by a participant, such view may be interspersed with images of the judges, the accused and the other participants, provided these images are in keeping with the decorum of the hearing.

3. The live and delayed audiovisual feed of public and closed or private sessions as defined in regulation 94 (d) and (e) shall be stored in the archives of the Registry. An electronic version of the audiovisual recordings shall be kept.

Regulation 42
Broadcasting

1. Broadcasting shall start when the judges enter and shall cease as soon as the last judge has left the courtroom.

2. In the event of a disturbance of any nature which requires the Presiding Judge to adjourn the hearing, broadcasting shall cease as soon as the Presiding Judge has formally adjourned the hearing.

3. Footage showing private conversation or deliberations between the judges, between the judges and Registry officers, between counsel and the person to whom article 58 applies, if present, or the accused, and between counsel and assistants to counsel shall not be released for broadcast.

4. Close-up views of the benches shall not be selected for broadcast if they would permit a viewer of the broadcast to identify the name or contents of any book, paper or other items.

5. Close-up views of individual spectators in the public gallery shall not be selected for broadcast.

Regulation 43
Requests under regulation 21, sub-regulation 8, of the Regulations of the Court

1. Requests under regulation 21, sub-regulation 8, of the Regulations of the Court, shall be made within 30 minutes of the information being mentioned during the hearing.

2. For technical reasons, requests for non-publication may only be implemented effectively where a maximum of four such requests are raised within 30 minutes. Where the limit is exceeded, the court officer shall inform the Presiding Judge and advise on the appropriate measures.

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3. A request for non-publication of information may be made more than 30 minutes after the information is mentioned during the hearing if it presents a risk to the security or safety of victims, witnesses or other persons at risk, or is prejudicial to national security interests.

Regulation 44
Communications under rule 102

1. The Registry shall ensure that a communication made under rule 102 and regulation 25 of the Regulations of the Court, be converted into an electronic format which can be used by the Court.

2. The following information shall be registered:

   (a) The size of the communication;

   (b) The length of the communication; and

   (c) The number of subdivisions of the communication.

3. The communication shall be registered in accordance with the registration procedure set out in subsection 4 of section 1 of this chapter and shall be notified in accordance with subsection 5 of section 1 of this chapter.

Regulation 45
Arrangements for live testimony by means of audio or video-link technology

1. The Registry shall make the necessary arrangements whenever the Chamber orders that a witness be heard by means of audio or video-link technology, pursuant to article 69, paragraph 2, and rule 67.

2. The participant requesting testimony by means of audio or video-link shall do so at least 15 calendar days in advance, as a rule.

3. In choosing a venue for the conduct of the audio or video-link testimony pursuant to rule 67, sub-rule 3, the Registrar shall consider in particular the following locations:

   (a) The offices of the Court abroad;

   (b) A national court;

   (c) An office of an international organisation; or

   (d) An embassy or a consulate.

Regulation 46
Conduct of live testimony by means of audio or video-link technology

1. The Registrar shall designate a representative of the Registry or any other suitably qualified person to ensure that the testimony by means of audio or video-link technology is taken in accordance with the Statute, Rules, Regulations of the Court and these Regulations.

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2. When testimony is to be given by means of audio or video-link technology, the designated person shall establish audiovisual contact with the courtroom with the assistance of technicians, where required.

3. At the request of the Chamber, the designated person shall call the witness into the transmission room and have him or her make the solemn undertaking.

4. In the case of a video link, the witness shall be able to see and hear the judges, the accused and the person questioning him or her, as well as the relevant evidence as submitted in the courtroom. Likewise, the judges, the accused and the person questioning him or her shall be able to see and hear the witness as well as any evidence submitted from the remote location.

5. Unless otherwise ordered by the Chamber, testimony shall be given in the sole presence of the designated person and a member of the technical team and, where necessary and with the consent of the Chamber, silent observers for participants other than those provided in rule 88, sub-rule 2.

6. The designated person shall keep the Chamber informed at all times of the conditions under which the testimony is being given.

7. Once the witness has been discharged by the Chamber and has left the room, the designated person shall confirm to the Chamber the absence of apparent reasons preventing the testimony being given freely and voluntarily.

Regulation 47
Participation in the proceedings via video link of an accused or of persons to whom article 55, paragraph 2, or article 58 applies or of victims

Where the accused or persons to whom article 55, paragraph 2, or article 58 applies, or victims participate in the proceedings via video-link, a direct telephone connection between the said persons and their counsel shall be established in addition to the normal connection.

Regulation 48
Proceedings outside the seat of the Court

1. Whenever the Court wishes to sit in a State other than the host State in accordance with rule 100, the Registrar shall make all the necessary arrangements in cooperation with the authorities of the said State.

2. The Registrar shall provide the Court in advance with a security assessment of the State where the Court wishes to sit and with any other relevant information.

Regulation 49
Transmission of an order for safe conduct

1. When a Chamber issues an order for safe conduct, the Registrar shall notify the Ministry of Justice and the Ministry of Foreign Affairs of the host State or of any other relevant State of the copy of the order certified in accordance with regulation 23.

2. The person shall be notified of the certified copy of the order in accordance with regulation 31 of the Regulations of the Court.

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Subsection 8 Transcripts

Regulation 50
Different versions of transcripts

The Registry may produce three versions of the same transcript:

(a) A confidential real-time version, accessible during the hearing;

(b) A confidential version, consisting of a corrected, completed and formatted copy of the real-time version; or

(c) A public version, from which closed and/or private sessions, and any other material which is deemed confidential in accordance with an order of the Chamber has been expunged.

Regulation 51
Index of transcripts

The index of transcripts shall record, *inter alia*, the following information, with page references:

(a) The title of the hearing or proceeding, specifying where it is held *ex parte*;

(b) The level of confidentiality of the hearing or proceeding, either in public session, private session, closed session;

(c) The names or pseudonyms of the witnesses heard and the protective measures ordered, if any;

(d) The names or pseudonyms of the victims heard and the protective measures ordered, if any;

(e) The evidence presented;

(f) The evidence admitted;

(g) The oral decisions of the Chamber; and

(h) The list of participants.

Subsection 9 Evidence

Regulation 52
Presentation of evidence during a hearing

1. During a hearing, evidence shall be presented in electronic format.

2. For the purpose of the presentation, participants shall provide to the court officer, in electronic version whenever possible, the evidence they intend to use at the hearing at least three full working days before the scheduled hearing.

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3. Evidence provided under sub-regulation 2 is transmitted by the court officer to the interpretation and translation service within the Registry, under strict conditions of confidentiality, for the purpose of regulation 63, sub-regulation 3.

Regulation 53
Handling of evidence during a hearing

1. The court officer shall register and number the evidence in accordance with regulation 28 as soon as it is submitted during a hearing by a participant or produced during a hearing following an order of the Chamber.

2. The court officer shall announce the evidence number for the record.

3. The original form of evidence, whether it is a paper document or an object, shall be placed in the custody of the Registrar and may be consulted in accordance with regulation 16.

Regulation 54
Storage of the original form of evidence

The Registry shall maintain a log of the location in the Registry vault of the original form of evidence.

Regulation 55
Witnesses

1. The court officer shall maintain a list of the witnesses who appear before the Chamber and shall record the following information:

   (a) The time at which the testimony commenced and ended;

   (b) The protective measures ordered, if any;

   (c) In the case of closed or private sessions, the time at which the session commenced and ended;

   (d) The duration of the questioning by the participants and the Chamber; and

   (e) The evidence submitted by a participant or produced following an order of the Chamber in the course of the testimony.

2. The participants shall provide the court officer with the names of the witnesses they intend to call at the hearing at least one full working day before the hearing. They shall also provide all information about the location and time of the appearance of the witnesses in court. The court officer shall so inform the Chamber.

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Regulation 56
Experts

1. For the purpose of regulation 44 of the Regulations of the Court, a person seeking to be included in the list of experts shall provide the Registry with the following documentation:

   (a) A detailed *curriculum vitae;*

   (b) Proof of his or her qualifications;

   (c) An appropriate indication of his or her expertise in the relevant field; and

   (d) Where applicable, a statement of whether he or she is included in any list of experts acting before any national court.

2. The decision as to whether a person shall be included in the list of experts shall be notified to that person. If the application is refused, the Registrar shall provide reasons and shall inform the person on how to apply to the Presidency for review of that decision within 15 calendar days of its notification.

3. The Registrar may file a response within 15 calendar days of notification of the application for review.

4. The Presidency may ask the Registrar to provide any additional information necessary to decide on the application. The decision of the Presidency shall be final.

5. An expert already included in the list of experts shall immediately inform the Registrar of any changes in relation to the information he or she provided pursuant to sub-regulation 1.

6. The Registrar may at any time take steps to verify the information provided by an expert included in the list.

7. The Registrar shall remove an expert from the list of experts where he or she:

   (a) No longer meets the requirements under sub-regulation 1;

   (b) Has been found guilty of an offence against the administration of justice as described in article 70, paragraph 1; or

   (c) Has been permanently interdicted from exercising his or her functions before the Court in accordance with rule 171, sub-rule 3.

8. The Registrar shall notify the relevant person of his or her decision under sub-regulation 7 and shall provide reasons therefor.

9. The Registrar shall inform the person about the possibility to apply to the Presidency for review of that decision within 15 calendar days of its notification.

10. The Registrar may file a response within 15 calendar days of notification of the application for review.

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11. The Presidency may ask the Registrar to provide any additional information necessary to decide on the application. The decision of the Presidency shall be final.

Section 2 Language services of the Registry

Subsection 1 General provisions

Regulation 57
Scope of application of this section

The Registry shall provide interpretation, translation, editing and revision services in accordance with the provisions of the Statute, Rules, Regulations of the Court, and these Regulations. The Registry shall give priority to the judicial work of the Court when providing language services.

Regulation 58
Requests for language services

1. The Registrar shall maintain a yearly updated list of persons entitled to authorise a request for interpretation, translation, editing and revision.

2. Each request for language services shall be submitted using the approved standard form.

3. A complete list of recipients shall be provided with translations which are to be sent to several recipients.

4. Requests for interpretation services involving languages other than the working languages of the Court shall set out the reasons why the interpretation of such languages is required. Such requests should be made at least ten calendar days prior to the event requiring interpretation.

5. A request which does not include all the information required in the standard form shall be promptly returned to the requesting person to be completed.

6. The fully completed request shall be re-submitted with a new deadline.

Regulation 59
Duty roster

A duty roster of language staff shall be established for urgent requests from the duty officer of the Registry for interpretation and/or translation outside the working hours of the Court.

Regulation 60
Linguistic assistance outside the seat of the Court

Linguistic assistance outside the seat of the Court, other than that covered by the duty roster, shall be provided upon request following the procedure set out in regulation 58. Requests for such linguistic assistance shall be submitted as soon as practicable in order to ensure good coordination of language services.

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Subsection 2 Interpretation matters

Regulation 61
Modes of interpretation

1. Interpretation services shall include the following:

   (a) Simultaneous interpretation, where the interpreter renders the speaker's message immediately and continuously from a booth;

   (b) *Chuchotage* or whispering, which is simultaneous interpretation by an interpreter whispering an interpretation of what is said to a maximum of two listeners;

   (c) Consecutive interpretation, where the interpreter interprets aloud, usually taking notes as the speaker speaks and then concisely interpreting several sentences at a time for an unlimited number of listeners;

   (d) Liaison interpretation, where the interpreter interprets aloud in and out of two or more languages, interpreting a few sentences at a time, for a very limited number of listeners; and

   (e) Sight translation, for written documents that need to be translated orally. The interpreter may need to read the document once before performing the sight translation.

2. For simultaneous interpretation, interpretation booths and audio equipment shall be made available.

3. The Registry shall advise on the mode of interpretation most suitable for the event to be interpreted.

Regulation 62
Role of team coordinator

1. The interpretation team shall have one team coordinator. The team coordinator shall ensure communication between booths, with the court officer, with the audiovisual booth and with the court reporters. In order to fulfil his or her tasks, the team coordinator shall receive in-service training.

2. The team coordinator shall be available to discuss linguistic matters relating to the hearings or proceedings with the judges or the court officer.

Regulation 63
Use of audio and/or video recordings in the proceedings

1. Where interpretation of audio and/or video recording is required, the interpreter may ask for the transcript, if available, or to consult the recording in extenso before the hearing or the event requiring interpretation.

2. The sound of any audio and/or video recording played in the courtroom or at the event shall be fed directly into the headphones of the interpreter.

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3. Recordings to be used at an event where interpretation is required shall be provided as early as possible, and at least one full working day before the event. The recording shall be returned after the event, if so requested. In order to prepare for hearings, evidence shall be provided to the interpretation and translation service within the Registry in accordance with regulation 52, sub-regulation 3.

Regulation 64
Interpretation services provided at hearings

1. At hearings, four interpreters shall work in two booths, an English and a French one, for up to two periods of two hours separated by a 30-minute break or for three periods of one and a half hours with a break of at least one and a half hours between the second and the third period. Modifications to interpretation time periods may be arranged prior to the commencement of the hearing.

2. Wherever audio or video-link technology is used during hearings, interpreters shall work the usual number of hours as described in sub-regulation 1. Where it has been assessed that the sound quality is poor, the work of each team may be limited to a maximum of two and half hours per day.

3. When used at hearings, chuchotage shall require two interpreters working in turns. Sub-regulation 1 shall apply *mutatis mutandis*.

4. Under exceptional circumstances, defined as any occurrence involving *inter alia* security issues and/or witnesses' or victims' welfare when appearing before the Court, interpreters may be asked to carry out additional tasks or to extend the interpretation period as defined in sub-regulation 1, upon special request of the Chamber, the Registrar or the participants.

5. At hearings, any problem that may affect the quality of the interpretation shall be reported to the team coordinator, who shall in turn report the matter to the court officer.

6. Where interpretation services are required for languages other than English and French pursuant to regulation 40, sub-regulation 2, of the Regulations of the Court, this regulation shall apply *mutatis mutandis*.

Regulation 65
Quality control and linguistic problems at hearings

1. Quality monitoring shall be carried out by the Registry on the basis of, *inter alia*, recordings of hearings.

2. In the event of linguistic misunderstandings or errors of interpretation made at hearings, the team coordinator shall contact the court officer, who shall in turn inform the bench. Whenever an interpreter becomes aware of an error of interpretation during a hearing, he or she shall report the matter to the team coordinator, who shall in turn inform the court officer thereof.

3. Should the interpretation and translation service within the Registry discover, at a later stage, an error in a translation which was not noticed at the hearing, it shall inform the court officer who shall in turn inform the Chamber thereof. Following an order of the Chamber, a *corrigendum* may be issued by the said service.

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4. Should the Chamber need to raise questions in relation to terminology or usage, the court officer shall contact the team coordinator.

5. Where there are questions related to the accuracy of a translation used during a hearing, or if it becomes apparent that a translation used during a hearing contains errors, interpreters working at the hearing shall be requested to sight translate the original for the record until a revised version is prepared by the interpretation and translation service within the Registry.

Regulation 66
Interpretation services provided on assignments other than hearings

1. For interpretation assignments other than hearings requiring simultaneous interpretation, interpreters shall work for two three-hour periods per day, with at least one and a half hours between them. Modifications to interpretation time periods may be arranged prior to the commencement of the assignment.

2. In meetings where consecutive interpretation is required, interpreters shall work a maximum of two periods of two hours per day. Except in the case of deliberations, there shall be breaks of at least 15 minutes between periods. Lunch breaks for consecutive interpreters shall be of at least 70 minutes. Modifications to interpretation time periods may be arranged prior to the commencement of the assignment.

3. *Chuchotage*, when used in combination with conventional simultaneous interpretation, shall require two *chuchotage* interpreters working in turns of 30 minutes for two periods per day. The provisions relating to the working hours applicable to simultaneous interpreters shall also apply to interpreters providing *chuchotage*.

4. Under exceptional circumstances, defined as any occurrence involving *inter alia* security issues and/or witnesses' or victims' welfare, interpreters may be asked to carry out additional tasks.

5. Regulation 64, sub-regulation 2, shall also apply to audio and video conferences.

Regulation 67
Requirements relating to the work environment and preparation

1. Interpreters shall be provided with an adequate work environment and preparation time.

2. In allocating interpretation assignments, the Registry shall take the need for continuity into consideration whenever possible.

Regulation 68
Interpretation services provided by field interpreters

1. Field interpreters shall not be required to work in conditions significantly different from those applying at the seat of the Court.

2. The working hours for field interpreters shall be arranged so as to coincide with the working hours of the persons for whom the provision of interpretation services has been requested.

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Regulation 69
Training material for interpreters

When conducting training for interpreters with audio and/or video recordings of hearings and other events, private and closed sessions shall not be used.

Subsection 3 Translation matters

Regulation 70
Modes of translation

Translation services shall include the following:

(a) Translation, where the translator submits accurate and faithful translations on various subjects in the appropriate style within prescribed time limits. He or she proofreads the translation and checks its consistency before submitting it. If the draft translation is subsequently revised, he or she inputs the corrections and proofreads the final document;

(b) Self-revised translation, where the translator submits accurate and faithful translations on various subjects in the appropriate style having carried out the appropriate research. He or she revises his or her own output, proofreads and checks the consistency of the translation before submitting the final product;

(c) Revision, where a reviser ensures that a translated text faithfully renders the source text and meets the readability criteria appropriate for the text in question. Revision is a bilingual process that involves comparing the source text with the translation and making corrections and/or editorial improvements where necessary;

(d) Editing, where an editor ensures that a text is free of grammatical errors and that it meets the readability criteria appropriate for the document in question. Editing is a monolingual process that includes stylistic editing, i.e. tailoring language to readers, ensuring smoothness of text, checking syntax and idiom, house style, spelling and typography and punctuation as well as copyediting/proofreading for consistency; and

(e) Proof-reading, where a text undergoes final checking for any typographical, spelling or other error not normally related to the overall style and content of the text.

Regulation 71
Consultation with the author and/or requesting person

1. Translators, whether in-house or external, may contact the author of the text or the requesting person in order to obtain clarifications.

2. In the case of an external translator, the Registry shall facilitate such contact.

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Regulation 72
Official translation of the Court

1. Each text translated and revised by the interpretation and translation service within the Registry shall bear the watermark "*Official Translation of the Court*". This watermark certifies the text as an official translation. The text bearing the watermark shall be deemed authoritative for the purpose of the Court.

2. The watermark shall not be removed from translations submitted electronically to the requesting person. The interpretation and translation service within the Registry shall only recognise the version bearing the watermark as a translation produced by its service.

Regulation 73
Revision of translations

1. Unless otherwise requested, or unless produced by a self-revising translator, all translations shall be revised.

2. Unrevised translations shall bear the watermark "*Draft Translation*". The watermark shall not be removed from unrevised translations. The interpretation and translation service within the Registry shall only recognise the version bearing the watermark as being a draft translation produced by its service.

Regulation 74
Delivery of an official translation

1. The Registry shall send to the requesting person an image file version of the translated text, with the footer bearing the watermark and the month.

2. Upon request, a Word version of the translated text shall also be sent. Such text shall not have the footer described in sub-regulation 1.

Regulation 75
Problems arising during the translation process

1. If the official translation sent to the requesting person gives rise to subsequent queries, the requesting person shall contact the Registry.

2. In the event of conflicting deadlines for texts submitted by different requesting persons, the Registrar shall determine which text has priority.

Section 3 Procedures in respect of restriction and deprivation of liberty

Regulation 76
Transmission of a request for the arrest and surrender

When transmitting the request for the arrest and surrender of a person pursuant to articles 89 and 91 the Registrar shall indicate, *inter alia*:

(a) The obligations of the State under articles 59, 89 and 91, paragraph 4;

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(b) That the national authorities are requested to inform the Registrar without delay of the arrest of the person by sending to the Registrar a notice of execution, and to make the necessary arrangements for the transfer of the person to the Court;

(c) That the national authorities are requested to inform the Registrar without delay of any problem that may impede or prevent the execution of the request for arrest and surrender;

(d) That the national authorities are requested to inform the Registrar, who shall immediately inform the Pre-Trial Chamber, of any request for interim release and/or of any request for appointment of counsel; and

(e) That the national authorities are requested to immediately inform the Registrar when the person sought by the Court is available for surrender.

Regulation 77
Information on arrest and surrender

1. The Registrar shall invite the State requested under article 89 or 92 to inform him or her of the arrest of a person and to provide, *inter alia*, the following information:

(a) The personal details of the arrested person;

(b) The date and time of the arrest;

(c) The location of the arrest;

(d) The circumstances of the arrest;

(e) The authorities who made the arrest;

(f) The physical condition of the arrested person;

(g) The language(s) spoken by the arrested person;

(h) The information given to the arrested person in respect of his or her rights;

(i) Whether the arrested person has legal assistance and/or whether he or she requires that counsel be appointed by the Court;

(j) The location of the person arrested pending surrender;

(k) The date, time and location of the appearance of the arrested person before the competent national judicial authority; and

(l) Any other useful information.

2. Upon receipt of information under rule 184, sub-rule 1, the Registrar shall:

(a) Make the necessary arrangements for the transfer of the arrested person to the Court; and

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(b) Inform the relevant Pre-Trial Chamber so that it may schedule the first appearance of the arrested person as provided for in rule 121, sub-rule 1.

Regulation 78
Transmission of a summons to appear

1. When the Pre-Trial Chamber issues a summons to appear under article 58, the Registrar shall transmit the request to the State concerned.

2. Where the Pre-Trial Chamber issues a summons with conditions restricting liberty in accordance with article 58 and rule 119, in transmitting the request the Registrar shall indicate, *inter alia*:

(a) That the national authorities are requested to inform the Registrar without delay of any problem that may impede or prevent the execution of the summons; and

(b) That the national authorities are requested to inform without delay the Registrar, who shall immediately inform the Pre-Trial Chamber, of any failure by the person summoned to comply with the conditions imposed.

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Chapter 3 Responsibilities of the Registrar relating to Victims and Witnesses

Section 1 Assistance to Victims and Witnesses

Regulation 79
General provisions

1. Pursuant to article 43, paragraph 6, and rules 16, 17 and 18, the Registrar shall develop and, to the extent possible, implement policies and procedures to enable witnesses to testify in safety, so that the experience of testifying does not result in further harm, suffering or trauma for the witnesses.

2. The Registrar shall exercise his or her functions regarding witnesses, victims who appear before the Court and persons at risk with no distinction of any kind, whether of gender, age, race, colour, language, religion or belief, political or other opinion, national, ethnic or social origin, wealth, birth or other status.

Regulation 80
Services to victims and witnesses

1. In order to receive services provided by the Registry, the Prosecutor and counsel shall complete a form requesting the provision of services. The Registry may request from the Prosecutor and counsel any additional information necessary for the provision of services.

2. Services such as relocation, accompanying support persons, dependent care, extraordinary allowances for lost earnings and clothing allowances shall be provided on a case-by-case basis, in accordance with an assessment made by the Registry.

Regulation 81
Travel

1. The Registry shall arrange transportation for witnesses, victims who appear before the Court and persons at risk who, pursuant to an order of the Chamber, need to travel for testimony or for support or protection-related purposes.

2. The mode of transport shall be determined on a case-by-case basis, having regard to protection, safety and health considerations.

3. Unless otherwise justified for support or protection reasons, travel shall be based on:

   (a) An economy class international round trip air ticket by the shortest route, subject to prior authorisation by the Registry; or

   (b) The practice of the Court for staff members for all other means of transport.

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Regulation 82
Accommodation

1. The Court shall provide appropriate full board and accommodation in locations selected by the Registry for witnesses, victims who appear before the Court and persons at risk where required for the purposes of the Court.

2. Witnesses, victims who appear before the Court and persons at risk who have chosen not to accept full board and accommodation provided by the Court shall only receive an incidental allowance in accordance with regulation 84 and an attendance allowance in accordance with regulation 85.

Regulation 83
Support programme

1. The Registry shall develop a support programme, which shall also apply in the field, in order to provide psychological, social assistance and advice to victims, witnesses and their families, accompanying persons and persons at risk at the earliest stage possible.

2. In addition, the support programme shall provide, where appropriate, and for the duration of their stay at the seat of the Court, or where proceedings are held, round-the-clock assistance to victims who appear before the Court, witnesses and accompanying persons.

Regulation 84
Incidental allowance

1. An incidental allowance for personal expenses may be provided to witnesses, victims who appear before the Court, persons at risk and accompanying support persons who require overnight accommodation at any stage of their journey.

2. The amount of the incidental allowance shall be determined by the Registrar and shall be reviewed annually. The Registrar shall publish the table of the rate of incidental allowance yearly on the website of the Court.

Regulation 85
Attendance allowance

1. Witnesses shall be provided with an attendance allowance as compensation for wages, earnings and time lost as a result of testifying. Witnesses shall not be required to submit a request or any supporting documentation in order to receive the attendance allowance.

2. The daily minimum wage rate shall be determined by dividing:

   (a) The annual salary of the staff of the Court at the General Services, step 1 level 1 in the country in which the witness is residing at the time he or she testifies; by

   (b) The number of days per year.

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3. The attendance allowance shall be calculated by multiplying:

   (a) A percentage rate of the daily minimum wage rate applicable for the staff of the Court in the country in which the witness is residing at the time he or she testifies. The percentage shall be determined by the Registrar and shall be reviewed annually. The Registrar shall publish yearly on the website of the Court the table of the rate of attendance allowance; by

   (b) The number of days the witness is required at the seat of the Court or where proceedings are held, including travel days. For the purpose of calculating the attendance allowance, a part of a day used in connection with testifying shall be considered a full day.

Regulation 86
Extraordinary allowance for lost earnings

1. The Registrar may provide an extraordinary allowance for lost earnings for witnesses who suffer undue financial hardship as a result of being absent from legal income earning activities for the purposes of the Court.

2. Witnesses shall submit their request accompanied by any supporting documentation.

3. The Registrar shall inform the participants of any payment of such allowance.

Regulation 87
Expert witnesses

Transportation for expert witnesses who travel for testimony or for support or protection-related purposes shall be arranged by the Registry, in accordance with regulation 81. A daily subsistence allowance shall also be provided.

Regulation 88
Information management

1. The Registry shall keep information relating to witnesses, victims who appear before the Court and persons at risk, accompanying persons and family members in a secure environment.

2. A secure electronic database shall be maintained for any information relating to persons referred to in sub-regulation 1. This database can only be accessed by designated staff members of the Registry and, where appropriate, by the Chamber and by participants.

Regulation 89
Healthcare and well-being

1. The Registry shall assist witnesses, victims who appear before the Court and persons at risk, by:

   (a) Organising medical care and assistance, as appropriate, for the duration of their stay at the seat of the Court or where proceedings are held; and

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(b) Providing psychological assistance, as appropriate, particularly for children, the disabled, the elderly and victims of sexual violence.

2. The Registry shall develop local networks to address the healthcare and well-being of witnesses, victims who appear before the Court and persons at risk, especially in the field.

Regulation 90
Dependent care

1. The Registry may provide dependent care to witnesses and victims who appear before the Court.

2. Dependent care is the provision of appropriate assistance to those who have the primary responsibility in caring for another person, the non-provision of which would prevent their attendance at the Court.

3. The type of assistance shall be based on a case-by-case needs assessment.

Regulation 91
Accompanying support persons

1. Witnesses, victims who appear before the Court and persons at risk may be permitted to bring an accompanying support person with them to the Court. The Registry shall cover the costs of the accompanying support person, in accordance with regulations 81, 82 and 84.

2. In order to determine the eligibility of a witness, a victim who appears before the Court or a person at risk to bring an accompanying support person with him or her to the Court, the following criteria, shall be, *inter alia*, taken into account:

   (a) The fact that the person has no surviving close family members;

   (b) The presence of severe trauma-related symptoms;

   (c) The existence of possible suicidal tendencies;

   (d) The potential for violence;

   (e) The fear or anxiety of the person to the extent that it would prevent him or her from attending the Court;

   (f) The age;

   (g) The fact that the person is a victim of sexual or gender violence;

   (h) The fact that the person suffers from a pre-existing disease of a physical and/or psychological nature; and

   (i) The severity of physical or psychological symptoms.

3. The Registry shall assess the suitability of the accompanying person to provide support.

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Regulation 92
Security arrangements

1. The Registry shall implement and coordinate appropriate procedures and measures for the protection and security to ensure the safety of witnesses, victims who appear before the Court and persons at risk, including accompanying support persons.

2. Procedures and measures referred to in sub-regulation 1 shall be confidential.

Regulation 93
Local protection measures

1. The Registry shall implement measures for the protection of witnesses, victims who appear before the Court and persons at risk on the territory of the State where an investigation is taking place.

2. Procedures and measures referred to in sub-regulation 1 shall be confidential.

Regulation 94
Protective measures

Measures taken pursuant to an order of a Chamber under rule 87 to protect the identity of witnesses, victims who appear before the Court and persons at risk may include, *inter alia*:

(a) Pseudonyms, where the person is assigned a pseudonym that is used during the proceeding instead of his or her real name;

(b) Facial distortion, where the image of the person is rendered unrecognisable by an electronic mosaic in the audiovisual feed;

(c) Voice distortion, where the voice of the person is rendered unrecognisable by electronic means in the audiovisual feed;

(d) Private sessions, where the hearing is not open to the public and there is no audiovisual stream broadcast outside the Court;

(e) Closed sessions, where the hearing is held *in camera*;

(f) Videoconferences, where the person takes part in the proceeding via a direct video link;

(g) Expunctions from the public record of the proceeding of any information which might lead to the identification of the victim, witness or person at risk; or

(h) Any combination of the protective measures listed above or any modification of a measure ordered by the Chamber which is technically feasible.

Regulation 95
Protection arrangements

The Registry shall provide participants with round-the-clock telephone access for the purpose of initiating an application for protection or for any enquiry relating to the safety of witnesses, victims who appear before the Court or persons at risk of harm or death.

Regulation 96
Protection programme

1. The Registry shall take all necessary measures to maintain a protection programme for witnesses, including accompanying support persons, and others considered to be at risk of harm and/or death on account of a testimony given by such witnesses or as a result of their contact with the Court.

2. An application for inclusion in the protection programme may be filed by the Prosecutor or by counsel.

3. In assessing admission to the protection programme, in addition to the factors set out in article 68, the Registry shall consider, *inter alia*, the following:

   (a) The involvement of the person before the Court;

   (b) Whether the person himself or herself, or his or her close relatives are endangered because of their involvement with the Court; and

   (c) Whether the person agrees to enter the protection programme.

4. Inclusion in the protection programme shall be subject to the decision of the Registrar after the assessment made under sub-regulation 3.

5. Before being included in the protection programme, the person or - where the person is under the age of 18 or otherwise lacks the legal capacity to do so - his or her representative, shall sign an agreement with the Registry.

Section 2 Victims Participation and Reparations

Subsection 1 General provisions

Regulation 97
Confidentiality of communications

1. Where required for reasons of safety and security of the victim, the Registry shall take all necessary measures within its powers to ensure the confidentiality of the following communications: communications within the Court relating to specific victims, including communications within the Registry and between the Registry and other organs of the Court; between the Court and victims who have communicated with the Court; between the Court and victims' legal representatives; between the Court and persons or organisations acting on behalf of victims; and between the Court and persons or organisations serving as intermediaries between the Court and victims.

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2. If a victim decides to withdraw an application for participation or reparations at any time, the Registry shall maintain the confidentiality of the communication.

Regulation 98
Protection of information and communications

1. For the purpose of regulation 97, the Registry shall maintain a secure electronic database for the storage and processing of information provided in applications from victims, any documentation or further information supplied by victims or their legal representatives, and any communications received from or in respect of such victims including communications or other information from or relating to specific victims that have been made available to the Registry by other organs of the Court.

2. The database referred to in sub-regulation 1 may only be accessed by designated staff members of the Registry and, where appropriate, by the Chamber and by participants.

Regulation 99
Assessment of the disclosure of information

1. Upon receipt of an application from a victim and pending any decision by the Chamber, the Registry shall review the application and assess whether the disclosure to the Prosecutor, the defence and/or other participants of any information contained in such application, may jeopardise the safety and security of the victim concerned.

2. Such review shall take into account the factors set out in article 68, paragraph 1, any request for non-disclosure made by the victim and, *inter alia*, the level of security in the area where the victim lives and the feasibility of implementing local measures for their protection and security and/or protective measures where necessary.

3. The Registry shall inform the Chamber of the results of the assessment.

4. If a victim requests that all or part of the information he or she has provided to the Registry not to be disclosed to the Prosecutor, the defence, or other participants, the Registry shall inform the victim that such requests may be granted or rejected by the Chamber. The Registry shall communicate the victim's request, together with the result of the assessment made pursuant to sub-regulations 1 and 2, to the Chamber and to the legal representative of the victim.

Regulation 100
Protection and security of victims

1. Where the Registry is in direct communication with victims, it shall ensure that it does not endanger their safety, physical and psychological well-being, dignity and privacy. The Registry shall also take all possible measures to ensure that groups mentioned in regulation 105, sub-regulation 1, pursue the same objective in their communications with victims.

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2. Where a victim wishing to participate in the proceedings or to claim reparations fears that his or her application is putting him or her at risk, or where the assessment undertaken under regulation 99, sub-regulations 1 and 2, concludes that such a risk might exist, the Registry may advise the Chamber on appropriate protective measures and/or security arrangements in order to protect the safety and the physical and psychological well-being of the victim.

3. The Registry may request non-publication of information in accordance with regulation 43, sub-regulation 3.

Regulation 101
Withdrawal of applications

1. If a victim decides to withdraw an application for participation or reparations before the Registry has presented the application to the Chamber, the Registry shall present the application and the withdrawal to that Chamber, together with a report including any reasons given for the withdrawal.

2. If the application has already been presented to the Chamber, the Registry shall present the withdrawal to that Chamber, including any reasons given for the withdrawal.

Subsection 2 Information and notice to victims

Regulation 102
Assistance in providing information under article 15

1. Where the Prosecutor intends to seek authorisation from the Pre-Trial Chamber to initiate an investigation pursuant to article 15, paragraph 3, the Registry may assist in providing information to victims when so requested.

2. Where the Prosecutor has a duty to inform victims who have provided information to him under article 15, paragraph 6, the Registry may, when so requested, assist in providing information to victims.

Regulation 103
Publicity and notice by general means

1. In determining what measures are necessary to give adequate publicity to the proceedings, as referred to in rule 92, sub-rule 8, and in rule 96, sub-rule 1, the Registry shall ascertain and take into account factors relating to the specific context such as languages or dialects spoken, local customs and traditions, literacy rates and access to the media. In giving such publicity, the Registry shall seek to ensure that victims make their applications before the start of the stage of the proceedings in which they want to participate, in accordance with regulation 86, sub-regulation 3, of the Regulations of the Court.

2. Where the Prosecutor decides to give notice by general means in accordance with rule 50, sub-rule 1, the Registry may assist in informing victims, where requested to do so, and shall consequently inform the Prosecutor for the purpose of regulation 87, sub-regulation 1, of the Regulations of the Court.

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Subsection 3 Participation of victims in the proceedings and reparations

Regulation 104
Standard application forms

1. The standard application forms provided for in regulations 86 and 88 of the Regulations of the Court, and the explanatory material shall, to the extent possible, be made available in the language(s) spoken by the victims. The Registry shall endeavour to prepare the standard application forms in a format that is accessible, that can be used by the Court, and that is compatible with the electronic database referred to in regulation 98, sub-regulation 2.

2. The Registry may propose amendments to the standard application forms on the basis of, *inter alia*, experience in using the forms and the context of specific situations. The proposed amendments shall be submitted to the Presidency for approval in accordance with regulation 23, sub-regulation 2, of the Regulations of the Court.

Regulation 105
Dissemination and completion of standard application forms

1. In order to ensure that standard application forms, as referred to in regulation 86, sub-regulation 1, of the Regulations of the Court, are completed as efficiently as possible, the Registry may establish contact and maintain regular relations with the groups mentioned in regulation 86, sub-regulation 1, of the Regulations of the Court, and may, *inter alia*, prepare guidance booklets and other materials, or provide education and training, in order to guide those assisting victims in completing the standard application forms.

2. The Registry shall, as far as possible, encourage the use of the standard application forms by victims in making applications.

Regulation 106
Receipt of applications

1. Applications for participation or reparations may be submitted either to the seat of the Court or to a field office of the Court.

2. The Registry shall take measures to encourage victims to complete their applications and to provide further information and communications in a working language of the Court. Such steps may include, *inter alia*, seeking the assistance of groups mentioned in regulation 86, sub-regulation 1, of the Regulations of the Court.

3. Documents and material relating to an application and submitted after the initial application shall be dealt with in accordance with regulation 107.

Regulation 107
Review of applications

1. Where an application is received in hard copy, the Registry shall convert it into image file format, ensuring that the application is not altered in any way.

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2. The Registry shall take measures to encourage victims to complete their application using the standard form referred to in regulation 86, sub-regulation 1, of the Regulations of the Court.

3. In seeking further information in accordance with regulation 86, sub-regulation 4, or regulation 88, sub-regulation 2, of the Regulations of the Court, the Registry shall consider the interests of the victim and shall take into account, *inter alia*, whether the victim is represented, the security of the victim, and any time limits for the filing of documents with the Court. When contacting victims or their legal representatives to request further information, the Registry shall inform them that their request may be granted or rejected by the Chamber on the basis, *inter alia*, of information provided by them and that they may submit a new application later in the proceedings if their application is rejected by the Chamber.

4. The Registry shall endeavour wherever possible to obtain further information in writing, but where the victim has expressed a preference for contact by telephone, and taking security considerations into account, it may receive such information by telephone. In so doing, the Registry shall, to the extent possible, verify the identity of the person and record the conversation.

Regulation 108
Access to applications

1. Applications and related documents and material shall be available to the Chambers and the participants through electronic means, in accordance with their level of confidentiality.

2. Consultation of the original form of the applications and related documents and material shall be requested using the approved standard form.

3. Regulation 16 shall apply *mutatis mutandis*.

Regulation 109
Report to the Chamber regarding participation in the proceedings

1. In order to facilitate the decision of the Chamber and to comply with regulation 86, sub-regulations 5 and 6, of the Regulations of the Court, the Registry shall provide the Chamber with access to the record of applications or to the secure room where the originals are stored.

2. Unless otherwise requested by the Chamber, the report to be provided in accordance with regulation 86, sub-regulations 5 and 6, of the Regulations of the Court, may include information relating to, *inter alia*, victims' legal representatives, legal assistance paid by the Court, requests relating to confidentiality and disclosure or security concerns, and any other relevant information received from other sources and from victims or their legal representatives.

3. For the purpose of preparing the report, the Registry may seek additional information in accordance with regulation 86, sub-regulation 4, of the Regulations of the Court, and may consult with the legal representatives, if any.

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Regulation 110
Submission of applications for reparations

1. The Registry shall present all applications for reparations to the Chamber, together with a report thereon, where requested.

2. For the purpose of rule 97, at the request of the Chamber, the Registry may present information or recommendations regarding matters such as the types and modalities of reparations, factors relating to the appropriateness of awarding reparations on an individual or a collective basis, the implementation of reparations awards, the use of the Trust Fund for Victims, enforcement measures, and appropriate experts to assist in accordance with rule 97, sub-rule 2.

Regulation 111
Assistance in the enforcement phase

The Registry may, if so requested, provide the Presidency with relevant information, including information received in applications for participation or reparations, to assist it in its decision-making on matters relating to the disposition or allocation of property or assets in accordance with rule 221.

Subsection 4 Legal representation of victims

Regulation 112
Assistance to victims in choosing legal representatives

In order to assist victims in choosing a legal representative or representatives, the Registry may provide victims with the list of counsel provided for in regulation 122 and information regarding counsel or assistants to counsel, including, at the request of a victim, the *curricula vitae* of counsel appearing on that list, and take measures to ensure that the victim understands such information.

Regulation 113
Legal assistance paid by the Court

1. For the purpose of participation in the proceedings, the Registry shall inform victims that they may apply for legal assistance paid by the Court, and shall supply them with the relevant form(s).

2. In determining whether to grant such assistance, the Registrar shall take into account, *inter alia*, the means of the victims, the factors mentioned in article 68, paragraph 1, any special needs of the victims, the complexity of the case, the possibility of asking the Office of Public Counsel for Victims to act, and the availability of *pro bono* legal advice and assistance.

3. Regulations 130 - 139 shall apply *mutatis mutandis*.

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Subsection 5 Office of Public Counsel for Victims

Regulation 114
Appointment of members of the Office

The members of the Office of Public Counsel for Victims are appointed in accordance with the rules and regulations governing the recruitment of the staff of the Court. A representative of the legal profession shall sit on the selection panel.

Regulation 115
Independence of members of the Office

1. The members of the Office shall not receive any instructions from the Registrar in relation to the conduct of the discharge of their tasks as referred to in regulations 80 and 81 of the Regulations of the Court.

2. In discharging their responsibilities under sub-regulation 1, the members of the Office shall be bound by the Code of Professional Conduct for counsel adopted pursuant to rule 8.

3. For issues other than the conduct of the representation of a person entitled to legal assistance under the Statute and the Rules or assistance to legal representatives of victims, members of the Office shall be bound by the provisions applicable to all staff members.

4. Where a member of the Office is representing a victim or a group of victims, regulation 113 shall apply *mutatis mutandis*.

5. The Registry shall ensure that the confidentiality necessary for the performance of the functions of the Office be respected.

Regulation 116
Information provided by the Registrar to the Office

Where members of the Office act as duty counsel or as legal representatives of victims or appear before a Chamber on behalf of a victim or victims in respect of specific issues, the Registrar shall, having regard to confidentiality, provide them with such information received in the applications sent by victims and such further information and documents as are necessary for the fulfilment of those functions.

Regulation 117
Report on administrative issues relating to the Office

The Office shall report on administrative issues related to its activities to the Registrar on a regular basis and submit an annual report of its work to the Registrar having regard to confidentiality.

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Subsection 6 Trust Fund for Victims

Regulation 118
Cooperation with the Trust Fund for Victims

1. For the purpose of rule 98, sub-rule 4, rule 148 and rule 221, sub-rule 1, the Registry shall, where requested by the Chamber or by the Presidency, and after consultation with the victims or their legal representatives, provide information received from or in respect of victims to the Secretariat of the Trust Fund for Victims, and shall provide general advice and information of a non-confidential nature relating to victims.

2. Where an order is issued by the Chamber for an award of reparations through the Trust Fund for Victims, the Registrar shall, having regard to confidentiality, provide the Secretariat of the Trust Fund for Victims with such information received in the applications sent by victims and such further information and documents as are necessary for the implementation of the order.

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Chapter 4 Counsel issues and legal assistance

Section 1 General provisions

Regulation 119
Duties of the Registrar in relation to the defence

1. In order to give full effect to the rights of the defence, and pursuant to the provisions of rule 20, the Registrar shall, *inter alia*:

   (a) Assist counsel and/or his or her assistants in travelling to the seat of the Court, to the place of the proceedings, to the place of custody of the person entitled to legal assistance, or to various locations in the course of an on-site investigation. Such assistance shall encompass securing the protection of the privileges and immunities as laid down in the Agreement on the Privileges and Immunities of the Court and the relevant provisions of the Headquarters Agreement; and

   (b) Establish channels of communication and hold consultations with any independent body of counsel or legal association, including any such body the establishment of which may be facilitated by the Assembly of States Parties.

2. The Registrar shall also provide appropriate assistance to a person who has chosen to represent himself or herself.

3. In the event of disputes occurring between the person entitled to legal assistance and his or her counsel, the Registrar may propose mediation. The Registrar may request the Office of Public Counsel for the Defence or another qualified independent person to act as a mediator.

Regulation 120
Principles governing consultations with legal associations

1. In carrying out his or her responsibilities including those in rule 20, sub-rule 3, the Registrar shall, as appropriate, hold consultations with any independent representative body of counsel or legal association, including any such body the establishment of which may be facilitated by the Assembly of States Parties.

2. International associations of bars and counsel, as well as associations offering specific expertise in fields of law that are relevant to the Court, shall in particular be consulted.

3. The Registrar may also consult any expert he or she identifies on specific issues relating to his or her mandate, as appropriate.

Regulation 121
Forms of consultations

1. Consultations shall be carried out periodically through non-institutionalised channels, including written and oral communication, as well as bilateral and multilateral meetings.

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2. The Registrar may, as appropriate, organise seminars for the purpose of holding in-depth discussions on the role of the legal profession before the Court. Associations and individual experts, as well as representatives of other international criminal tribunals, may take part in these seminars.

Section 2 Provisions on counsel and assistants to counsel

Regulation 122
List of counsel

1. The Registry shall produce a standard form for counsel seeking inclusion in the list. The form shall be available on the website of the Court, as well as through other appropriate means, and shall also be provided upon request.

2. Unless counsel requests otherwise, the Registry may publish the following data:

   (a) Counsel's full name;

   (b) The name, place and country of the bar association to which counsel is affiliated or, if counsel is not a barrister or attorney, his or her profession, including the name of the institution for which he or she works;

   (c) The language(s) spoken by counsel; and

   (d) Whether counsel would prefer to represent the accused, victims, or both.

Regulation 123
Acknowledgment of appointment

The Registrar shall acknowledge the issuance of power of attorney or the appointment of counsel in writing, stating that he or she has been included in the list. The acknowledgment shall be notified to the person who has chosen the counsel, to the counsel, to the Chamber and to the competent authority exercising regulatory and disciplinary powers over counsel in the national order.

Regulation 124
Assistants to counsel

Persons who assist counsel in the presentation of the case before a Chamber, as referred to in regulation 68 of the Regulations of the Court, shall have either five years of relevant experience in criminal proceedings or specific competence in international or criminal law and procedure. The names of these persons are on the list of assistants to counsel created and maintained by the Registry.

Regulation 125
List of assistants to counsel

1. The Registry shall create and maintain a list of persons who may assist counsel in the presentation of the case before a Chamber and who meet the requirements set out in regulation 124.

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2. The Registry shall produce a standard form for persons seeking inclusion in the list. The form shall be available on the website of the Court as well as through other appropriate means, and shall be provided upon request.

3. A person seeking to be included in the list shall complete the standard form and provide the following documentation:

   (a) A detailed *curriculum vitae;* and

   (b) An indication of the relevant experience or specific competence in accordance with regulation 124.

4. The decision as to whether a person shall be included in the list shall be notified to that person. If the application is refused, the Registrar shall provide reasons and information on how to apply to the Presidency for review of that decision within 15 calendar days of its notification.

5. The Registrar may file a response within 15 calendar days of notification of the application for review.

6. The Presidency may ask the Registrar to provide any additional information necessary to decide on the application. The decision of the Presidency shall be final.

7. Persons included in the list shall inform the Registrar immediately of any change in the information provided by them pursuant to this regulation. The Registrar may take measures to verify the information provided by such persons at any time.

Regulation 126
Removal from the list of assistants to counsel

1. The Registrar shall remove a person from the list of assistants to counsel if that person:

   (a) No longer meets the requirements set out under regulation 124;

   (b) Has been found guilty of an offence against the administration of justice as described in article 70, paragraph 1;

   (c) Has been permanently interdicted from exercising his or her functions before the Court in accordance with rule 171, sub-rule 3; or

   (d) Has solicited or accepted a bribe from a person entitled to legal assistance paid by the Court.

2. The Registrar shall notify the relevant person of his or her decision under sub-regulation 1 and shall provide the reasons therefor.

3. The Registrar shall inform the person on how to apply to the Presidency for review of that decision within 15 calendar days of notification.

4. The Registrar may file a response within 15 calendar days of notification of the application for review.

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5. The Presidency may ask the Registrar to provide any additional information necessary to decide on the application. The decision of the Presidency shall be final.

Regulation 127
Appointment of assistants to counsel

Persons who assist counsel in the presentation of the case before a Chamber shall be appointed by counsel and selected from the list maintained by the Registrar.

Regulation 128
Assistance by the Registry

1. The Registry shall provide a person seeking legal assistance in the framework of proceedings before the Court with the list of counsel, along with the *curricula vitae* of counsel appearing on that list.

2. The Registry shall provide assistance when a person entitled to legal assistance under the Statute and the Rules is to be questioned pursuant to article 55, or in any other case where legal assistance is needed by a person entitled to it.

Regulation 129
Appointment of duty counsel

1. In accordance with regulation 73, sub-regulation 2, of the Regulations of the Court, the Registry shall guarantee the availability of counsel at the place and the time indicated by the Prosecutor or the Chamber.

2. When requested by a person entitled to legal assistance, the Prosecutor or the Chamber, the Registry shall contact the duty counsel and provide him or her with all the information available.

Section 3 Legal assistance paid by the Court

Regulation 130
Management of legal assistance paid by the Court

1. The Registrar shall manage the legal assistance paid by the Court with due respect to confidentiality and the professional independence of counsel.

2. The Registry staff responsible for managing the funds allocated to legal assistance paid by the Court shall treat all information known with the utmost confidentiality. They shall not communicate such information to any person, except to the Registrar, or to the legal aid commissioners where required for the performance of the tasks specified in regulation 136.

3. The Registrar may transmit to the auditors the necessary information to perform their tasks. They are responsible for ensuring the confidentiality of such information.

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Regulation 131
Application procedure for legal assistance paid by the Court

1. As soon as the Registry contacts a person entitled to legal assistance under the Statute and the Rules in order to assist him or her in accordance with regulation 128, it shall provide him or her with the relevant form(s) to submit an application for legal assistance paid by the Court.

2. The Registry shall immediately acknowledge receipt of an application for legal assistance paid by the Court as described in sub-regulation 1. The Registrar shall then establish whether or not the applicant has provided the requisite supporting material as described in regulation 132. He or she shall inform the applicant as soon as possible if, and to what extent, such material are incomplete and shall direct him or her to provide the missing material within a specified time period.

Regulation 132
Proof of indigence

1. A person applying for legal assistance paid by the Court must fill out the approved standard forms and provide the information necessaries to support their request.

2. Where there are grounds to believe that an application for legal assistance paid by the Court and the supporting evidence are not accurate, the Registry may carry out an investigation into the matter. In doing so, it may request information and/or documents from any person or body that it deems appropriate.

3. The Registrar should make a decision as to whether legal assistance should be paid in full or in part by the Court within 30 calendar days of the submission by the person concerned of all the documentation required. Legal assistance shall be provisionally paid by the Court during that period.

4. The person shall communicate to the Registry any change in his or her financial situation that might affect eligibility for legal assistance paid by the Court. The Registry may carry out random checks to verify whether any changes have occurred.

5. If legal assistance paid by the Court has been granted provisionally, the Registry may investigate the person's means. The person shall cooperate with the Registry in its investigation.

Regulation 133
Fees paid to counsel

The fees paid to counsel shall consist of a scheme of payment based on a fixed fee system comprising a maximum allocation of funds for each phase of the proceedings, including, where applicable, fees for assistants to counsel as referred to in regulation 68 of the Regulations of the Court, and for professional investigators as referred to in regulation 137.

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Regulation 134
Action plan and modalities of payment

1. Before each phase of the proceedings, or every six months, counsel shall establish an action plan. The action plan shall be approved by the Registrar who may consult the legal aid commissioners appointed pursuant to regulation 136, sub-regulation 1.

2. At the end of every month, the Registry shall issue an order for payment in accordance with the action plan referred to in sub-regulation 1.

3. Every six months, or at the end of each phase of the proceedings, the Registry shall review the action plan and the remaining fees, if any, shall be paid to counsel.

4. When a mission has been carried out in accordance with the action plan, the relevant funds shall be paid upon presentation of the appropriate travel request, as approved by the Registry, together with any supporting documentation.

Regulation 135
Disputes relating to fees

1. The Registrar shall take a decision on any dispute concerning the calculation and payment of fees or the reimbursement of expenses at the earliest possible juncture and notify counsel accordingly.

2. Within 15 calendar days of notification, counsel may request the Chamber to review any decision taken under sub-regulation 1.

Regulation 136
Legal aid commissioners

1. The Registrar, after receiving the proposals and having heard the views of any independent representative body of counsel or legal association, including any such body the establishment of which may be facilitated by the Assembly of States Parties, shall appoint three persons to serve as legal aid commissioners for three years. This appointment shall not be renewable.

2. Legal aid commissioners shall provide the Registrar with advice regarding the management of the funds allocated by the Assembly of States Parties to legal assistance paid by the Court. To that effect, the commissioners shall:

   (a) Evaluate the performance of the system put in place regarding legal assistance paid by the Court, and propose amendments to such system; and

   (b) At the request of either counsel or the Registrar, assess whether the means requested by legal teams in their action plans are reasonably necessary for the effective and efficient representation of their client(s).

3. Legal aid commissioners shall perform their tasks independently and with due regard to confidentiality.

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Regulation 137
List of professional investigators

1. The Registry shall create and maintain a list of professional investigators.

2. A professional investigator shall have established competence in international or criminal law and procedure and at least ten years of relevant experience in investigative work in criminal proceedings at national or international level. A professional investigator shall have an excellent knowledge of and be fluent in at least one of the working languages of the Court. Subject to exceptional circumstances, he or she shall speak at least one of the languages of the country in which the investigation is being conducted.

3. The Registry shall produce a standard form for professional investigators seeking inclusion in the list. The form shall be available on the website of the Court, as well as through other appropriate means, and shall also be provided upon request.

4. A person seeking to be included in the list of professional investigators shall complete the standard form and provide the following documentation:

   (a) A detailed *curriculum vitae*;

   (b) An indication of competence in the relevant field in accordance with sub-regulation 2; and

   (c) Where applicable, a statement of whether he or she is included in any list of investigators acting before any national court, or whether he or she is registered with any association of investigators.

5. The decision on whether a person shall be included in the list shall be notified to that person. If the application is refused, the Registrar shall provide reasons and information on how to apply to the Presidency for review of that decision within 15 calendar days of notification.

6. The Registrar may file a response within 15 calendar days of notification of the application for review.

7. The Presidency may ask the Registrar to provide any additional information necessary to decide on the application. The decision of the Presidency shall be final.

8. Professional investigators included in the list shall immediately inform the Registrar of any change in the information provided by them in accordance with this regulation. The Registrar may take steps to verify the information provided by a professional investigator included in the list at any time.

Regulation 138
Removal from the list of professional investigators

1. The Registrar shall remove a person from the list of professional investigators if the person:

   (a) No longer meets the criteria required in accordance with regulation 137, sub-regulation 2;

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(b) Has been found guilty of an offence against the administration of justice as described in article 70, paragraph 1;

(c) Has been permanently interdicted from exercising his or her functions before the Court in accordance with rule 171, sub-rule 3; or

(d) Has solicited or accepted a bribe from a person entitled to legal assistance paid by the Court.

2. The Registrar shall notify the relevant person of his or her decision under sub-regulation 1 and shall provide the reasons therefor.

3. The Registrar shall inform the investigator on how to apply to the Presidency for review of that decision within 15 calendar days of its notification.

4. The Registrar may file a response within 15 calendar days of notification of the application for review.

5. The Presidency may ask the Registrar to provide any additional information necessary to decide on the application. The decision of the Presidency shall be final.

Regulation 139
Selection of professional investigators

1. Where legal assistance is paid by the Court and includes the fee of a professional investigator, counsel shall select the professional investigator from the list referred to in regulation 137.

2. A person not included in the list of investigators but who has relevant experience with regard to investigations in criminal proceedings, is fluent in at least one of the working languages of the Court and speaks at least one of the languages of the country in which the investigation is being conducted, exceptionally and after confirmation by the Registrar that the above criteria have been met, can be selected by counsel as a resource person in a given case. That resource person shall not be related to the person entitled to legal assistance, to the counsel or any person assisting him or her.

Section 4 Training of counsel

Regulation 140
Role of the Registrar

For the purpose of promoting the specialisation and training of lawyers in the law of the Statute and the Rules, and subject to the availability of resources, the Registrar shall, *inter alia*:

(a) Ensure access to a database of the case law of the Court;

(b) Provide comprehensive information on the Court;

(c) Identify and publish the names of persons and organisations carrying out relevant training;

(d) Provide training materials; and

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(e) Offer training enabling persons to qualify to train counsel.

Regulation 141
Training programmes

1. The Registry shall develop a standard for training programmes aimed at fostering knowledge of the law of the Statute and the Rules.

2. To this end, the Registry may make a survey of existing training programmes on a regular basis, and consult with any independent body of counsel or legal association, including any such body the establishment of which may be facilitated by the Assembly of States Parties.

3. Where training programmes receive the Registrar's approval, the organisation offering training may expressly refer to it in its promotional material and in any certificates issued.

4. The Registry shall promote the standard programme amongst organisations offering training, and shall, as appropriate, and in consultation with any independent body of counsel or legal association, including any such body the establishment of which may be facilitated by the Assembly of States Parties, review the standard programme in light of the practical experience gained through such training and the performance of counsel before the Court.

Regulation 142
Equal access and geographical distribution

1. The Registrar shall take all necessary steps to encourage an equal geographical and gender distribution of training opportunities. Training should in particular be made available in countries where the infrastructure does not allow for regular training, or where a situation has been brought before the Court.

2. In view of the limited financial capacity of lawyers in certain countries, the Registrar shall support programmes for the training of counsel in such countries. For this purpose, the Registrar may in particular address the relevant States and their bar associations or ask the relevant organisations to provide the training free of charge.

Section 5 Office of Public Counsel for the defence

Regulation 143
Appointment of members of the Office

The members of the Office of Public Counsel for the Defence are appointed in accordance with the rules and regulations governing the recruitment of the staff of the Court. A representative of the legal profession shall sit on the selection panel.

Regulation 144
Independence of members of the Office

1. The members of the Office shall not receive any instructions from the Registrar in relation to the discharge of their tasks as referred to in regulations 76 and 77 of the Regulations of the Court.

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2. In discharging their responsibilities under sub-regulation 1, the members of the Office shall be bound by the Code of Professional Conduct for counsel adopted pursuant to rule 8.

3. For issues other than the conduct of the representation of a person entitled to legal assistance under the Statute and the Rules or assistance to defence counsel, members of the Office shall be bound by the provisions applicable to all staff members.

4. Where a member of the Office is representing a person entitled to legal assistance under the Statute and the Rules, the relevant provisions of section 3 of this chapter shall apply *mutatis mutandis*.

5. The Registry shall ensure that the confidentiality necessary for the performance of the functions of the Office be respected.

Regulation 145
Information provided by the Registrar to the Office

Where members of the Office act as duty counsel or as counsel before a Chamber on behalf of a person entitled to legal assistance in respect of specific issues, the Registrar shall, having regard to confidentiality, provide them with all information and documents as are necessary for the fulfilment of those functions.

Regulation 146
Report on administrative issues relating to the Office

The Office shall report on administrative issues related to its activities to the Registrar on a regular basis and submit an annual report of its work to the Registrar having regard to the obligation of confidentiality.

Section 6 Provisions relating to articles 36 and 44 of the Code of Professional Conduct for counsel

Regulation 147
Election of the members of the Disciplinary Board

The permanent and alternate members of the Disciplinary Board referred to in article 36 of the Code of Professional Conduct for counsel shall be elected as follows:

(a) At an appropriate time before an election is due under article 36 of the Code of Professional Conduct for counsel, the Registrar shall send a letter to national bar associations and, where appropriate, to any independent representative body of counsel or legal association, as well as to all counsel on the list of counsel, informing them that an election will take place and inviting announcements of candidacy. The letter shall, *inter alia*, set out the procedure to be followed for the election and shall state that those standing for election must have established competence in professional ethics and legal matters.

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(b) Persons who wish to stand for election shall announce their candidacy to the Registrar by letter, attaching a *curriculum vitae* and a statement setting out their specific competence in professional ethics and legal matters. Announcements of candidacy shall be sent to the Registrar by postal or courier services and shall be received at the Court within 90 calendar days of the date of the letter of the Registrar referred to in (a). Persons whose announcements of candidacy are received at the Court after the expiration of that 90 day time period shall not be eligible.

(c) If fewer candidates stand for election than the number of members of the Disciplinary Board who must be elected, all counsel on the list of counsel who have indicated on their application form for the list of counsel that they have been a member of a disciplinary body or had specific responsibilities relating to ethics, shall be considered to have announced their candidacy and are eligible, subject to the provisions of article 36, paragraph 6, and article 44, paragraph 7, of the Code of Professional Conduct for counsel. The Registrar shall, by letter, request such counsel to provide their *curriculum vitae* and a statement setting out their specific competence in professional ethics and legal matters within 30 calendar days of the date of dispatch of the letter.

(d) When the periods referred to in (b) and (c) have expired, the Registrar shall distribute the list of candidates by postal or courier services, together with the *curriculum vitae* and the statement setting out the specific competence in professional ethics and legal matters of each candidate as well as a confidential voting slip, to all counsel on the list of counsel and request counsel to vote within 45 calendar days of the date of dispatch.

(e) Counsel shall vote for as many candidates as there are members of the Disciplinary Board to be elected.

(f) The vote shall be secret. Counsel shall cast their vote by completing and returning the confidential voting slip to the Registry by postal or courier services within the time limit set out in (d). All correspondence received shall be treated with due regard for confidentiality. Any votes received after the expiry of that time period shall not be counted.

(g) Once the ballot is closed, the Registry shall count the votes and submit the results to the Registrar.

(h) At the first election, pursuant to article 36, paragraph 4, of the Code of Professional Conduct for counsel, the two candidates having obtained the most votes shall be elected as permanent members. The candidate having obtained the next highest number of votes shall be elected as the alternate member. If two or more candidates obtain the same number of votes, lots shall be drawn between them.

(i) At subsequent elections, the candidate having obtained the most votes shall be elected as the permanent member. Where required, the candidate having obtained the next highest number of votes shall be elected as the alternate member. If two or more candidates obtain the same number of votes, lots shall be drawn between them.

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(j) The Registrar shall notify the successful candidate or candidates of their election to the Disciplinary Board, inform counsel on the list of counsel of the outcome of the election and have the results published on the Court website.

(k) Within 15 calendar days of the publication of the outcome on the Court website, a candidate who has not been elected may file a complaint with the Registrar concerning any issue relating to the election procedure. After having considered the complaint, the Registrar shall take a decision, of which the candidate concerned shall be notified.

(l) Within 15 calendar days of notification of the decision taken by the Registrar, a candidate whose complaint has been rejected may apply to the Presidency for review.

(m) The Registrar may file a response within 15 calendar days of notification of the application for review.

(n) The Presidency may ask the Registrar to provide any additional information necessary to decide on the application. The decision of the Presidency shall be final.

Regulation 148
Election of the members of the Disciplinary Appeals Board

The election of the members of the Disciplinary Appeals Board referred to in article 44, paragraphs 4 (b) and 5, of the Code of Professional Conduct for counsel shall be governed, *mutatis mutandis*, by the provisions applying to the election of the permanent and alternate members of the Disciplinary Board under regulation 147.

Regulation 149
Appointment of the Commissioner conducting the investigation

At the request of the Presidency, the Registrar shall assist in the appointment of the Commissioner.

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Chapter 5 Detention matters

Section 1 General provision

Regulation 150
Inspecting authority

The Registrar and the Chief Custody Officer shall facilitate the work of the independent inspecting authority and provide it with all relevant information in their possession.

Section 2 Rights of detained persons and conditions of detention

Regulation 151
Legal assistance

1. A detained person shall receive assistance to enable him or her to exercise his or her rights in connection with his or her trial at the Court.

2. A copy of the list of counsel shall be made available to a detained person upon his or her arrival at the detention centre, or as soon afterwards as is practicable, and shall be at the disposal of detained persons at all times in the office of the Chief Custody Officer.

Regulation 152
Diplomatic and consular assistance

1. The Registrar shall create and maintain a list of diplomatic and consular representatives available in the State in which the detention centre is situated. A copy of the list of diplomatic or consular representatives shall be made available to detained persons upon their arrival at the detention centre, and shall at all times be at the disposal of detained persons in the office of the Chief Custody Officer.

2. On arrival at the detention centre, or as soon afterwards as practicable, the Registry shall inform the relevant diplomatic or consular representative, or in the case of a refugee or stateless person, the representative of a national or international authority which represents the interests of such person, of the reception of the detained person.

3. The Registrar shall make facilities available in the detention centre for communication with the appropriate diplomatic or consular representative.

Regulation 153
Spiritual welfare

1. Subject to the provisions of regulation 102 of the Regulations of the Court, the Registrar shall make arrangements for visits by a minister or spiritual adviser of each religion or belief held by any detained person, for the purpose of providing spiritual services.

2. Such a minister or spiritual adviser shall be permitted to hold regular services and activities within the detention centre and to pay pastoral visits to detained persons of his or her religion or belief, subject to the provisions of regulations 180 and 181.

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3. The Registrar, in consultation with the Chief Custody Officer, shall locate and provide an area within the detention centre where spiritual services and activities can take place in accordance with sub-regulation 2.

4. In the event that access to a minister or spiritual adviser is denied, a detained person may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 154
Medical services

A designated area within the detention centre shall be equipped and furnished appropriately for the provision of medical care and treatment.

Regulation 155
Medical officer

1. The medical officer shall have the care of the physical and mental health of detained persons.

2. The medical officer shall inform the Chief Custody Officer in writing whenever he or she considers that the physical or mental health of a detained person has been or will be adversely affected by any condition of or treatment in detention.

3. The Chief Custody Officer shall in turn inform the Registrar without delay. The Chief Custody Officer shall confirm such information to the Registrar in writing. The Registrar shall take all action considered necessary and subsequently inform the Presidency and the Chamber in writing.

4. The Chief Custody Officer and the medical officer shall make arrangements for an assessment of detained persons at the time of their admission as to whether their physical and mental health is at risk. Where necessary, special arrangements shall be put in place for the observation of such persons at risk. In particular, the Chief Custody Officer shall ensure that a detained person at risk is located in a cell from which all means of inflicting self-harm have been removed.

5. The medical officer shall regularly inspect and advise the Chief Custody Officer on, *inter alia*, the following:

   (a) The quantity, quality, preparation and service of water and food;

   (b) The hygiene and cleanliness of the detention centre and of the detained persons;

   (c) The sanitation, heating, lighting and ventilation of the detention centre;

   (d) The suitability and cleanliness of the detained persons' clothing and bedding;

   (e) The observance of the rules concerning physical education and sports, in cases where there is no specialised personnel in charge of these activities.

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Regulation 156
Medical record of a detained person

1. The medical officer shall maintain a medical record of each detained person. This record shall be kept strictly confidential.

2. The medical record of a detained person shall not be consulted by any person other than the medical officer, his or her deputy, any medical staff directly involved in the detained person's treatment, or the medical personnel belonging to the independent inspecting authority, without the express written consent of the detained person concerned.

3. The medical record may only be disclosed without the consent of the detained person where, in the opinion of the medical officer, there exists a danger to the health and safety of the detained person concerned, other detained persons or any person in the detention centre.

4. At the request of the Chamber and with the written consent of the detained person, the medical officer shall provide the Registrar with the sealed medical record of the detained person. The Registrar shall then provide the Chamber with the medical record.

5. Where the detained person refuses to consent to the Chamber being provided with his or her medical record, the Registrar shall inform the Chamber accordingly.

6. Where, in the judgement of the medical officer, the detained person lacks the capability to make a decision about providing his or her medical record to the Chamber, he or she shall inform the Registrar thereof. In such cases, the Registrar shall ask the person designated in accordance with regulation 186, sub-regulation 2 (i), or, as appropriate, the representative of the detained person, to take the decision on behalf of the detained person.

Regulation 157
External medical practitioner

1. In accordance with regulation 103, sub-regulation 4, of the Regulations of the Court, a detained person may be visited by and consult an external medical practitioner at his or her own expense.

2. Where a detained person wishes to be visited by or to consult an external medical practitioner but lacks the financial means to do so, he or she shall inform the Chief Custody Officer, who in turn shall inform the Registrar thereof.

3. In such a case, the Registrar may request that the detained person be firstly examined by the medical officer in order to identify the nature of the medical expertise required by the detained person. The medical officer shall advise the Registrar on the availability of a medical practitioner on the list of experts referred to in regulation 56, who resides in the State in which the detention centre is situated and is qualified to examine and treat the detained person.

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4. Where a qualified medical practitioner as referred to in sub-regulation 3 is not found, the Registrar, assisted by the medical officer, shall make enquiries in order to identify a qualified medical practitioner on the list of experts referred to in regulation 56 who does not reside in the State in which the detention centre is situated.

5. Where the Registrar is satisfied that there is no qualified medical practitioner available on the list of experts referred to in regulation 56, the Registrar, with the assistance of the medical officer, shall make enquiries in order to identify a suitably qualified medical practitioner elsewhere.

6. Following consultation with and approval by the Registrar, a visit by a medical practitioner shall be made by prior arrangement with the Chief Custody Officer subject to the provisions of regulations 180 and 181.

7. The medical officer shall inform the external medical practitioner about the health of the detained person. The medical officer shall also be informed of the findings of any external medical practitioner.

8. The medical officer shall be informed about any request for a medical examination or request for a second opinion from whatever source.

9. In the event that a detained person's request to consult an external medical practitioner is rejected, the former may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

10. Any treatment or medication recommended by an external medical practitioner shall be administered solely by the medical officer or his or her deputy. The medical officer may refuse to administer any such treatment or medication prescribed by the external medical practitioner if in his or her opinion its effect will be detrimental to the welfare of the detained person. In such circumstances the medical officer shall immediately inform the detained person, the Registrar and the Chief Custody Officer in writing of the reasons for his or her decision.

11. In the event that the medical officer refuses to administer a treatment, a detained person may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

12. Sub-regulations 6 to 11 shall apply *mutatis mutandis* in the case of a detained person visited by or consulting an external medical practitioner of his or her choice and at his or her own expense.

Regulation 158
Limitations on external medical practitioners performing medical procedures within the detention centre

1. An external medical practitioner not registered as a medical practitioner in the State in which the detention centre is situated shall not perform medical procedures within the detention centre. During the treatment or examination of a detained person such external medical practitioner may provide assistance to a medical practitioner registered as such in the State in which the detention centre is situated.

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2. In the event of a disagreement concerning the necessity and/or the method of treatment or examination, a second opinion may be sought from another medical practitioner selected from the list of experts provided for in regulation 56.

3. In the event of extreme emergency, where preservation of life is paramount, the external medical practitioner foreseen in sub-regulation 1 shall be allowed to provide a treatment or perform surgery alone or together with the medical officer and/or with a medical practitioner registered as such in the State in which the detention centre is situated.

Regulation 159
Liability of external medical practitioner

1. The external medical practitioner shall be responsible in his or her professional capacity and therefore liable for misconduct to the extent of the responsibility he or she assumes.

2. The external medical practitioner shall bear responsibility in the event of claims by detained persons or other third parties for personal injury, loss, illness, death, loss of or damage to property for any act or omission falling within the competence of the external medical practitioner.

3. The Registrar shall require that external medical practitioners be adequately covered by liability insurance. A copy of such insurance shall be provided to the Registrar when the medical practitioner is included in the list of experts provided for in regulation 56 or, in the event that he or she is not included in the list of experts, before he or she provides any assistance or treatment.

Regulation 160
Detained persons with disabilities

The Registrar shall provide suitable accommodation to allow a detained person with disabilities to attend to his or her personal needs and to exercise his or her rights in connection with his or her trial at the Court. Such accommodation shall be of sufficient size to allow for the use of mechanical or other aids necessary in any specific case.

Regulation 161
Arrangements for the care of infants

1. The Chief Custody Officer shall inform the Registrar when a detained person is pregnant on reception at the detention centre.

2. In the event of a birth exceptionally taking place within the detention centre, this fact shall not be mentioned in the birth certificate.

3. Where an infant is authorised to remain or stay within the detention centre as provided for in regulation 104 of the Regulations of the Court, the infant shall be in the care of his or her parent(s). To this effect, a cell with suitable facilities to assist the parent in the management and care of the infant shall be made available by the Registrar within the detention centre.

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Regulation 162
Notice of serious illness or death of a detained person

1. The Chief Custody Officer shall immediately inform the Registrar in the event of the death or serious illness or injury of a detained person. The Registrar shall immediately inform the Presidency and the person designated by the detained person in accordance with regulation 186, sub-regulation 2 (i).

2. In the event of the death of a detained person, the Registrar shall also immediately inform the relevant civil authority of the State in which the detention centre is situated.

3. An officer of the Registry, delegated by the Registrar, shall represent the interests of the Court in the event of an inquest, in accordance with any agreement which has entered into force between the Court and any other State or authority which makes available a detention centre to the Court.

Regulation 163
Work programme

1. The Registry shall institute, as far as is practicable, a work programme to be performed by detained persons either in their individual cells or in the communal areas of the detention centre.

2. A detained person shall be offered the opportunity to enrol in such a work programme, but shall not be required to work.

3. A detained person who chooses to work shall be paid for his or her work at rates to be established by the Chief Custody Officer in consultation with the Registrar and may use his or her earnings to purchase items for his or her own use in accordance with regulation 166, sub-regulations 9 and 10, or to transfer them or part of them to his or her family, or to the Trust Fund for Victims. The balance of any monies earned shall be held in an account to be opened for him or her in accordance with regulation 166, sub-regulation 9.

Regulation 164
Communal area for recreational activities

1. The Registry shall make available within the detention centre an area where detained persons can associate with one another. This communal area shall be equipped in such a way as to enable detained persons to follow social, educational and recreational pursuits.

2. A detained person may use the library and other facilities available in the detention centre.

Regulation 165
Physical exercise and sport

1. The Registry shall arrange a properly organised programme to allow, on a voluntary basis, physical education, sport and other recreational activities to ensure physical fitness, adequate exercise and recreational opportunities. Each detained person shall have the possibility to benefit daily, on a voluntary basis, from at least one hour of exercise in the open air.

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2. The Chief Custody Officer may refuse to allow equipment to be installed which he or she considers to present a potential risk to the safety and good order of the detention centre or to detained persons.

3. The medical officer shall ensure that any detained person who participates in such a programme is physically fit to do so.

4. Arrangements shall be made, under medical direction, for remedial or therapeutic treatment for detained persons with disabilities or who are unable to participate in the regular physical education programme.

Regulation 166
Personal belongings of detained persons

1. A detained person may keep clothing and personal items for his or her own use or consumption in his or her possession unless, in the opinion of the Chief Custody Officer, such items constitute either a threat to the security or good order of the detention centre, or to the health and safety of detained persons or any person in the detention centre.

2. Items which constitute a threat either to the security or good order of the detention centre, or to the health or safety of detained persons or any other person in the detention centre, shall be removed by the staff of the detention centre, who shall then inform the Chief Custody Officer.

3. All prohibited items removed shall be retained by the staff of the detention centre and treated as provided for in regulation 192, sub-regulations 3, 4 and 5.

4. Subject to the restrictions provided for in these Regulations, a detained person shall be allowed to receive clothing and personal items after reception at the detention centre. Regulations 167, 168 and 169 shall apply *mutatis mutandis*.

5. The possession and use of any medication shall be controlled and supervised by the medical officer.

6. A detained person may possess cigarettes and smoke them at such times and places as the Chief Custody Officer permits.

7. The possession or consumption of alcohol and/or drugs other than for medical purposes shall be prohibited.

8. A detained person may have a radio in his or her possession provided that it cannot be modified to transmit or receive messages.

9. A detained person shall be allowed to spend his or her own money to purchase items of a personal nature. Each detained person shall be provided with an account to this effect.

10. A detained person shall be allowed to purchase at his or her own expense newspapers and other reading matter, writing materials and recreational items subject to the requirements of security and good order of the detention centre. In the case of an indigent detained person, costs for the purchase of such items shall be borne by the Court, within limits to be decided on by the Registrar.

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11. Upon the release of a detained person from the detention centre, or his or her transfer to another institution, all items and monies retained within the detention centre shall be returned to him or her, except for any item of clothing which the Chief Custody Officer has found necessary to destroy for reasons of hygiene.

12. The detained person concerned shall sign a receipt for the items and monies returned to him or her.

Regulation 167
Incoming items

1. Any item received from outside the detention centre, including any item introduced by any visitor for a detained person, shall be subject to security controls and shall be transported through the detention centre by staff.

2. The Chief Custody Officer may refuse to receive or may confiscate any item intended for use or consumption by detained persons, if such an item constitutes a threat to:

   (a) The security or good order of the detention centre; or

   (b) The health and safety of detained persons or of any other person in the detention centre.

3. Any item confiscated shall be retained or disposed of in accordance with regulation 192, sub-regulations 3, 4 and 5. The Chief Custody Officer shall inform the Registrar and the detained person concerned accordingly.

4. The detained person and the visitors, specifically the families of the detained person, shall be provided with information about the nature and type of items prohibited.

Regulation 168
Mail

On arrival at the detention centre, all correspondence and mail, including packages, shall be inspected.

Regulation 169
Procedure for incoming and outgoing mail

1. The Chief Custody Officer shall review all incoming and outgoing mail with the exception of items addressed to or sent by:

   (a) Counsel for a detained person;

   (b) The officers of the Court;

   (c) The independent inspecting authority; or

   (d) The diplomatic or consular representative.

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2. The Chief Custody Officer shall maintain a log of all incoming and outgoing mail. The log shall clearly show the name of the detained person, the name of the sender or of the addressee, if known, and the dates on which the item was received or sent.

3. After being reviewed in accordance with sub-regulation 1, items of opened mail shall be delivered to a detained person or posted to the addressee immediately, unless the item

   (a) Is in breach of:

      (i) These Regulations;

      (ii) The Regulations of the Court;

      (iii) Any other regulation relating to detention matters; or

      (iv) An order of a Chamber;

   (b) Gives reasonable grounds to the Chief Custody Officer to believe that the detained person may be attempting to:

      (i) Arrange an escape;

      (ii) Interfere with or intimidate a witness;

      (iii) Interfere with the administration of justice;

      (iv) Otherwise disturb the maintenance of the security and good order of the detention centre; or

   (c) Jeopardises public safety or the rights or freedom of any person.

4. Where the Chief Custody Officer considers that there has been a breach of the conditions described in sub-regulation 3, the item of:

   (a) Outgoing mail shall be returned to a detained person together with a note, in a language that the detained person fully understands and speaks, giving the reasons for refusing to let the item leave the detention centre; and/or

   (b) Incoming mail shall, in the sole determination of the Chief Custody Officer, either be returned to the sender or retained by the Chief Custody Officer. In either event, the detained person concerned shall be informed accordingly.

5. A detained person shall be given the opportunity to rewrite items of returned outgoing mail, omitting the part in breach of this regulation.

6. A copy of all offending items shall be sent to the Registrar and any offending enclosure may be confiscated.

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7. The Registrar may inform the Presidency, and, where necessary, the authorities of the State in which the detention centre is situated, of any breach described in sub-regulation 3 and of the nature of the offending item.

8. Such items shall not be handed over as evidence of contempt of the Court without prior notice and disclosure to counsel for the detained person.

9. A detained person whose mail has been intercepted or confiscated may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 170
Packages

1. A detained person may receive packages, which shall be dealt with in accordance with regulations 167, 168 and 169.

2. Packages received by the detained person may be limited in content, weight and quantity, as decided by the Chief Custody Officer.

Regulation 171
Obligation not to divulge material or information

Material or information obtained as a result of the examination of a detained person's mail or property, or by any other means, shall not be divulged to anyone other than the Registrar and the Chief Custody Officer or to any other person that may be granted this right by virtue of these Regulations, upon authorisation of the Registrar.

Regulation 172
Costs for mail

1. Costs for outgoing mail shall be borne by the detained person.

2. In the case of a person whose indigence has been determined by the Registrar, costs for outgoing mail shall be borne by the Court to the extent decided by the Registrar.

3. The Chief Custody Officer may impose limits on the amount and weight of correspondence sent by an indigent detained person.

4. An indigent detained person may file a complaint against any restrictions imposed by the Chief Custody Officer under sub-regulation 3, in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 173
Telephone calls

1. The Chief Custody Officer shall maintain a log of all incoming and outgoing telephone calls. The log shall clearly show the name and telephone number of the caller, the time, date and duration of the call.

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2. Incoming and outgoing calls may be received or made by a detained person at any time between 9 a.m. and 5 p.m. The Hague time each day, subject to the reasonable demands of the daily schedule of the detention centre and to any financial limits imposed by the Registrar.

3. All incoming calls for a detained person shall be received by the Chief Custody Officer. The Chief Custody Officer may permit a detained person to receive an incoming call outside the hours described in sub-regulation 2 if he or she considers it to be exceptional circumstances.

4. Likewise, in exceptional circumstances, the Chief Custody Officer may permit a detained person to make calls outside the hours described in sub-regulation 2.

5. A detained person shall not be allowed to use or to have a mobile telephone in his or her possession.

Regulation 174
Passive monitoring of telephone calls

1. All telephone conversations of detained persons shall be passively monitored, other than those with counsel, diplomatic or consular representatives, representatives of the independent inspecting authority, or officers of the Court.

2. Subject to the provision of sub-regulation 1, passive monitoring entails the recording of telephone calls but without simultaneous listening. These recordings could be listened to subsequently in cases listed under regulation 175, sub-regulation 1.

3. The detained person shall be informed of the monitoring of telephone calls.

4. Records of telephone conversations shall be erased after the completion of the proceedings.

Regulation 175
Active monitoring of telephone calls

1. If the Chief Custody Officer has reasonable grounds to believe that the detained person may be attempting to:

   (a) Arrange an escape;

   (b) Interfere with or intimidate a witness;

   (c) Interfere with the administration of justice;

   (d) Otherwise disturb the maintenance of the security and good order of the detention centre;

   (e) Jeopardise the interests of public safety or the rights or freedom of any person; or

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(f) Breach an order for non-disclosure made by a Chamber,

he or she may immediately terminate the call and advise the detained person concerned of his or her reasons for doing so. The Chief Custody Officer shall report the matter to the Registrar and shall seek his or her permission to actively monitor telephone calls, providing his or her reasoning for the request.

2. The Registrar alone may order that all telephone calls to and from the detained person, other than those with counsel, with diplomatic or consular representatives, representatives of the independent inspecting authority, or officers of the Court be monitored for a period not exceeding 14 calendar days. The Registrar shall report the matter to the Presidency.

3. Prior to its implementation, the order of the Registrar taken under sub-regulation 2 shall be notified to the detained person and his or her counsel.

4. At the end of the 14-day period, the Registrar shall review the situation in consultation with the Chief Custody Officer, and may decide to extend the period of active monitoring for up to another 14 calendar days or return to passive monitoring of the detained person's telephone calls. The subsequent order of the Registrar shall be reported to the Presidency and shall be notified to the detained person and to his or her counsel prior to its implementation.

5. A log of actively monitored telephone calls shall be kept by the Chief Custody Officer with details of the reason for monitoring and the date on which the Registrar made the relevant order.

6. The Chief Custody Officer shall forward a copy of the recording of all actively monitored calls to the Registrar for review.

7. Records of actively monitored telephone calls shall be erased after the completion of the proceedings.

8. Where the Registrar finds that a call has breached these Regulations, any other regulations relating to detention matters, or an order by a Chamber, the offending call shall be transcribed by the Registry and, where necessary, translated into one of the working languages of the Court.

9. The Registrar shall inform the Presidency, and, where necessary, the authorities of the State in which the detention centre is situated, of any breach described in sub-regulation 1 and of the nature of such breach.

10. Any offending conversation which is transcribed shall be retained by the Registrar. Such transcripts shall not be handed over as evidence of contempt of the Court without prior notice and disclosure to counsel for the detained person.

11. A detained person whose calls have been actively monitored may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

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Regulation 176
Costs for telephone calls

1. Costs for outgoing telephone calls shall be borne by the detained person.

2. In the case of a detained person whose indigence has been determined by the Registrar, costs of outgoing telephone calls shall be borne by the Court to an extent decided by the Registrar.

3. The Chief Custody Officer may impose limits on the number and duration of calls made by an indigent detained person.

4. An indigent detained person may file a complaint against any restriction imposed by the Chief Custody Officer under sub-regulation 3, in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 177
Visiting hours

The Registry sets the daily visiting hours for all visitors, taking into account the demands of the daily schedule of the detention centre and the facilities and staff available.

Regulation 178
Visits by counsel

1. The Registrar shall issue counsel with a permit for regular visits as soon as such counsel is appointed. Where counsel has not yet been appointed, upon written request by a detained person, the Registrar may issue a permit for a specific period of time prior to the hearing for confirmation of the charges.

2. Counsel may make arrangements by telephone with the Chief Custody Officer to visit a detained person, taking into account the demands of the daily schedule of the detention centre and the facilities and staff available.

Regulation 179
Application forms for visits

1. All visitors, other than counsel, diplomatic or consular representatives, representatives of the independent inspecting authority, or officers of the Court, shall first apply to the Registrar for permission to visit a detained person. The Registrar shall give specific attention to visits by family of the detained persons with a view to maintaining such links.

2. Other than in exceptional circumstances, the application shall be made in writing in one of the working languages of the Court using the approved standard form, to be submitted not later than 15 calendar days prior to the day of the proposed visit. The applicant shall attach a recent passport-size photograph to the standard form.

3. Where the application is submitted in a language other than a working language of the Court, the Registry shall either contact the person, requesting him or her to obtain a translation in a working language of the Court, or request the interpretation and translation service to translate such application.

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Regulation 180
Criteria for granting permission for a visit

1. Permission for visits other than those by counsel, diplomatic or consular representatives, representatives of the independent inspecting authority and officers of the Court shall be granted, unless an order of the Chamber has been issued in accordance with regulation 101 of the Regulations of the Court, the detained person has refused to see the person, pursuant to regulation 100, sub-regulation 2, of the Regulations of the Court, or the Registrar or the Chief Custody Officer has reasonable grounds to believe that

   (a) A detained person may be attempting to:

      (i) Arrange an escape;

      (ii) Interfere with or intimidate a witness;

      (iii) Interfere with the administration of justice; or

      (iv) Otherwise disturb the maintenance of the security and good order of the detention centre;

   (b) The visit jeopardises public safety or the rights or freedom of any person; or

   (c) The purpose of the visit is to obtain information which may be subsequently reported in the media.

2. Where permission has been granted, the Registrar shall issue a permit and shall inform the Chief Custody Officer.

3. Both the detained person and the visitor shall be notified in writing by the Registry of any request for permission to visit which is denied. Reasons for such refusal shall be provided.

4. The detained person whose visits have been denied may file a complaint, in accordance with the complaints procedure set out in section 5 of this chapter.

5. In order to gain access to the premises of the detention centre, all visitors shall possess an official identification document bearing a photograph.

Regulation 181
Security provisions

1. All persons entering the detention centre are subject to security checks.

2. Subject to regulation 182, sub-regulation 2, searches of counsel or persons to whom rule 73 applies, shall not extend to reading or copying documents brought to the detention centre by him or her.

3. Any person who refuses to comply with such requirements may be denied access.

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4. Visitors may not pass any item to a detained person during a visit. Any items intended for a detained person shall be handed to the staff of the detention centre on entry and shall be dealt with as provided for in regulations 167, 168 and 169.

5. Where the Chief Custody Officer believes that these Regulations or any regulation regarding detention matters are being breached in any way, he or she may immediately terminate the visit and advise the detained person and the visitor of his or her reasons for doing so. The visitor may be required to leave the detention centre and the Chief Custody Officer shall report the matter to the Registrar. This provision applies equally to all visitors.

Regulation 182
Documents passed by counsel

1. Counsel may pass documents to and receive documents from the detained person during a visit. Any quantity of documents which is too large to be physically passed over to the detained person at the visiting facility shall be handed to the Chief Custody Officer, who shall pass them unopened and unread to the detained person concerned.

2. All documents passed to and from a detained person in this manner shall be treated as mail and shall be dealt with as provided for in regulations 167, 168 and 169.

Regulation 183
Supervision of visits

1. Visits shall be conducted within the sight and hearing of the staff of the detention centre and shall be monitored by video surveillance. In addition to visits falling within regulations 97, sub-regulation 2, and 98, sub-regulation 2, of the Regulations of the Court, visits from representatives of the independent inspecting authority and officers of the Court, shall be conducted within the sight but not the hearing, either direct or indirect, of the staff of the detention centre. Private visits as referred to in regulation 185 shall not be supervised.

2. Where the member of staff supervising the visit believes that these Regulations or any regulation regarding detention matters are being breached in any way, he or she may terminate the visit, relocate the visitor and the detained person to separate and secure areas and immediately report the matter to the Chief Custody Officer.

3. The Chief Custody Officer shall decide whether or not to confirm the decision taken by the staff member. In the event that the decision of the staff member is confirmed by the Chief Custody Officer, he or she shall immediately report the matter to the Registrar.

Regulation 184
Monitoring of visits

1. Where the Chief Custody Officer has reasonable grounds to believe that the detained person may be attempting to:

   (a) Arrange an escape;

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(b) Interfere with or intimidate a witness;

(c) Interfere with the administration of justice;

(d) Otherwise disturb the maintenance of the security and good order of the detention centre;

(e) Jeopardise public safety or the rights or freedom of any person; or

(f) Breach an order for non-disclosure made by a Chamber,

he or she shall provide the Registrar with his or her reasons for asking for the visits to be monitored and shall seek the permission of the Registrar to do so.

2. With the exceptions established in regulation 183, sub-regulation 1, the Registrar may personally order that all or certain visits to the detained person concerned be monitored. The Registrar shall report this to the Presidency.

3. Prior to its implementation, the order of the Registrar taken under sub-regulation 2 shall be notified to the detained person concerned and his or her counsel.

4. The Registrar shall review any order taken under sub-regulation 2 after 14 calendar days of the commencement of the monitoring, in consultation with the Chief Custody Officer, and may decide to extend the monitoring period or to return to the normal regime of visits. The order by the Registrar to extend the period shall be reported to the Presidency and shall be notified to the detained person and to his or her counsel prior to its implementation.

5. A log of all monitored visits shall be kept by the Chief Custody Officer, with details of the name of the detained person, the name and address of the visitor, the reason for monitoring the visit and the date on which the Registrar made the relevant order.

6. The Chief Custody Officer shall forward to the Registrar the original recorded conversation and a report containing the details of the monitored visit.

7. Records of monitored visits shall be erased after completion of the proceedings.

8. Where the Registrar finds that there has been a breach of these Regulations, any other regulation relating to detention matters, or an order of a Chamber, the offending conversation shall be transcribed by the Registry and, where necessary, translated into one of the working languages of the Court.

9. The Registrar shall inform the Presidency, and, where necessary, the authorities of the State in which the detention centre is situated, of any breach described in sub-regulation 1 and of the nature of the breach.

10. Any offending conversation which is transcribed shall be retained by the Registrar. Such transcripts shall not be handed over as evidence of contempt of the Court without prior notice and disclosure to counsel for the detained person.

11. A detained person whose visits have been monitored may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

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Regulation 185
Room for private visits

1. A place within the detention centre may be made available for the detained person to meet with his or her spouse or partner.

2. After having spent one month in the detention centre, a detained person shall be granted private visits upon request, subject to regulation 180, sub-regulation 1.

Section 3 Management of the Detention Centre

Regulation 186
Arrival of the detained person at the detention centre

1. The Registry officer shall be present at the arrival of a detained person at the detention centre.

2. The officer shall:

   (a) Arrange to have an interpreter and the medical officer or a medical practitioner present;

   (b) Bring a folder, to be handed over to the detained person, containing the following documents:

      (i) The Statute;

      (ii) The Rules of Procedure and Evidence;

      (iii) The Regulations of the Court;

      (iv) The Regulations of the Registry;

      (v) The House Rules for detained persons;

      (vi) A translation in a language the detained person fully understands and speaks of articles 55, 58, 59, 60, 61, 67 and rule 117;

      (vii) The list of counsel and an explanation of the procedure for appointment of counsel and any relevant provisions of the code of professional conduct for counsel; and

      (viii) A certified copy of the warrant of arrest.

   In the case of a detained person who cannot read or who for any other reason has communication difficulties, the duty officer shall ensure that the detained person is duly informed;

   (c) Note the times of arrival of the detained person in The Netherlands and at the detention centre, and the time of arrival at the detention centre of the duty officer;

   (d) Keep a record of persons present and introduce them to the detained person;

(e) Verify the identity of the detained person and prepare an accurate description of that person;

(f) Verify that the detained person has no obvious signs of mistreatment;

(g) Ensure that the medical officer or a medical practitioner examines the detained person in accordance with regulation 190;

(h) Ensure that the detained person is given the opportunity to inform his or her family, his or her counsel, the appropriate diplomatic or consular representative and, at the discretion of the Chief Custody Officer, any other person, at the expense of the Court;

(i) Ask the detained person to designate a person to be informed in the event of an emergency;

(j) Read out the rights of the detained person. If the detained person explicitly waives the right to have these documents read out, the handing over of such documents may be considered consonant with the provisions of article 67;

(k) Inform the detained person that he or she will appear before the Pre-Trial Chamber;

(l) Provide the contact name of the diplomatic or consular representative;

(m) Record any observations made by the detained person;

(n) Prepare a report of the detained person's admission, which is to be filed in the detention record; and

(o) Confirm the admission of the detained person with the Registrar and any other authorised person.

Regulation 187
Role of the Chief Custody Officer

1. The Chief Custody Officer shall be responsible for the secure custody of all detained persons, for their safe and humane treatment, for the safeguarding of their rights as determined by the Court and for the maintenance of discipline and good order within the detention centre.

2. The Chief Custody Officer shall maintain a log recording significant events on a daily basis.

Regulation 188
Admission of the detained person

Upon arrival at the detention centre, a photograph and the fingerprints of the detained person shall be taken. Any distinguishing features he or she may have and any other information necessary to maintain the security and good order of the detention centre shall be recorded.

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Regulation 189
Detention record

A detention record shall be maintained for every detained person received into the detention centre. The record shall contain *inter alia*:

(a) Information concerning the identity of the detained person, the name of the person designated in accordance with regulation 186, sub-regulation 2 (i), to be informed of any event affecting the detained person and the means by which that person can be contacted;

(b) A certified copy of the warrant of arrest and a certified copy of the document containing the charges against him or her once such document has been provided to the detained person;

(c) Any order restricting access to news and contact issued in accordance with regulation 101 of the Regulations of the Court;

(d) The date and time of admission;

(e) The name of the detained person's counsel, if known, and changes in this regard, if any;

(f) The date, time and reason for all absences from the detention centre, whether for attendance at the Court, for medical treatment or other approved reasons, or on interim release, or on final release or transfer to another institution;

(g) The number of days spent in custody.

Regulation 190
Medical examination on admission

1. Prior to any other procedures being carried out, the detained person shall be examined by the medical officer or a medical practitioner on admission at the detention centre, with a view to diagnosing any physical or mental illness, and/or any indication or evidence of mistreatment. The medical examination shall be conducted in private and in the absence of any non-medical staff.

2. Should a detained person be diagnosed as having an infectious or contagious disease, the medical officer may take any necessary measures at his or her disposal for the medical treatment of that detained person.

Regulation 191
Interview by the Chief Custody Officer

The Chief Custody Officer shall conduct an arrival interview with every detained person as soon as is practicable after admission, and should ensure that any relevant matters to which the detained person may draw attention to are noted and dealt with.

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Regulation 192
Inventory of personal belongings on admission

1. On admission at the detention centre, an inventory shall be made of the detained person's money, clothing, and other effects. Such inventory shall be signed by the detained person and a copy shall be given to him or her. The passport or other travel documents in the possession of the detained person shall be retained by the Chief Custody Officer.

2. The inventory shall be placed in the detention record and shall remain confidential.

3. Any item which the detained person is not allowed to retain in accordance with these Regulations shall be removed and securely stored. All reasonable steps shall be taken by the Chief Custody Officer to keep the removed items in good condition. The detained person shall be informed accordingly.

4. Where the Chief Custody Officer finds it necessary to destroy an item, prior to any action he or she shall inform the detained person. The Chief Custody Officer shall also inform the Registrar of the nature of such item and the reasons for destroying it. The Registrar shall authorise the destruction of the item or take any action he or she considers necessary in the circumstances.

5. A record shall be kept of all items destroyed and the detained person informed accordingly.

Regulation 193
Accommodation

1. Accommodation for detained persons shall meet the requirements of health, hygiene and human dignity and shall be equipped with lighting, heating, ventilation and any other necessary equipment, in accordance with the internationally recognised standards.

2. The sanitary installations in a cell shall be such as to allow every detained person to comply with sanitary requirements in a clean, decent and dignified manner.

3. A detained person shall be provided with his or her own bed, and with sufficient bedding, which shall be clean when issued, kept in good order and changed regularly to ensure cleanliness.

4. Each cell shall be equipped with a means by which the detained person can communicate with a member of staff at any time.

Regulation 194
Personal search

1. The Chief Custody Officer may order that a detained person be searched at such times as is considered necessary for the safety, security and good order of the detention centre.

2. On arrival at the detention centre, the Chief Custody Officer shall order that a detained person's body and clothes be searched for items that may constitute a danger to:

   (a) The maintenance of the security and good order of the detention centre, or

   (b) The detained person, any other detained person, any member of the staff of the detention centre or any visitor to the detention centre.

3. Where the Chief Custody Officer has reason to believe that a detained person is in possession of a prohibited item as referred to in sub-regulation 2, and that such item may only be discovered by removing all of his or her clothes, the Chief Custody Officer may direct that the detained person submit to such a search.

4. Where a detained person is required to remove all of his or her clothes, the search shall be conducted in such a way as to ensure that the detained person is not totally naked at any time and with the respect for his or her cultural sensibilities.

5. A detained person shall not undress, or be required to undress, in the sight of another detained person and any search in these circumstances shall only be carried out in the presence of members of staff of the same gender as the detained person. In such circumstances, no more than two members of staff shall search a detained person.

6. This regulation does not allow the search or examination of a body cavity, other than the requirement for the detained person to open his or her mouth to permit a visual inspection.

7. Where a detained person refuses to co-operate with a search, the Chief Custody Officer may authorise the use of the minimum force necessary to carry out the search. Regulation 204 shall apply *mutatis mutandis*.

8. Items removed shall be treated as provided for in regulation 192, sub-regulations 3, 4 and 5.

Regulation 195
Search of cells

1. Cells shall be searched regularly as a matter of detention centre routine.

2. The Chief Custody Officer may authorise a special search of a detained person's cell if he or she has reason to believe that the cell contains an item which constitutes a threat to the health and safety of the detained person or any person in the detention centre, or to the security and good order of the detention centre.

3. A detained person shall be present at all times when his or her cell is being searched.

4. Following a search of a cell, the Chief Custody Officer shall inform the detained person in writing of any non-authorised items that were retained. Any such items found in the cell of the detained person shall be confiscated and treated as provided for in regulation 192, sub-regulations 3, 4 and 5.

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Regulation 196
Cell monitoring for health, safety and security purposes

1. Where necessary, in order to protect the health or safety of a detained person, or for the maintenance of the security and good order of the detention centre, the Registrar may order that the cell of a detained person be monitored by video-surveillance equipment and shall report his or her decision to the Presidency. In such cases, the Registrar shall review the order every 14 calendar days and, where a further period of surveillance is considered necessary, the Registrar shall convey the reasons for such an extension to the Presidency in writing.

2. The Registrar shall notify the detained person concerned and his or her counsel of any orders made pursuant to sub-regulation 1.

3. The detained person may file a complaint in relation to the use of video-surveillance equipment in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 197
Personal hygiene

1. A detained person shall be required to keep himself or herself clean, and shall be provided with such toiletry articles as are necessary for health and cleanliness.

2. Facilities shall be provided for shaving and for the proper care of hair and beard.

Regulation 198
Clothing

1. A detained person may wear his or her own civilian clothing if, in the opinion of the Chief Custody Officer, it is clean and suitable.

2. The Chief Custody Officer may prohibit particular items of clothing if it is considered that wearing such clothing would be prejudicial to the security and good order of the detention centre.

3. In the case of a detained person whose indigence has been determined by the Registrar, the costs for suitable civilian clothing shall be borne by the Court, to the extent decided by the Registrar.

4. All clothing shall be clean and kept in proper condition. Underclothing shall be changed and regularly laundered to ensure the maintenance of hygiene.

Regulation 199
Food

1. Each detained person shall be provided with food which is suitably prepared and presented, and satisfies in quality and quantity the standards of dietetics and modern hygiene. The age, health, religion and cultural requirements of the detained person shall be taken into account in the preparation and in the distribution of food.

2. Drinking water shall be made available to a detained person at all times.

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Regulation 200
Transport of a detained person

1. When a detained person is being transported to or from the detention centre, he or she shall be exposed to public view as little as possible and all proper safeguards shall be adopted to protect him or her from insult, injury, curiosity and publicity in any form.

2. A detained person shall at all times be transported in vehicles with adequate ventilation and light and in such a way as to spare him or her unnecessary physical hardship or indignity, and taking into account any disability from which the detained person suffers.

3. These provisions shall apply *mutatis mutandis* in cases provided for in article 93, paragraph 7, and rule 192.

Regulation 201
Segregation

1. After seeking the advice of the medical officer, the Chief Custody Officer may order that a detained person be segregated from all or some of the other detained persons in order to prevent the detained person in question from creating or contributing to any potential conflict in the detention centre or to avoid danger to the detained person in question.

2. The Chief Custody Officer shall report to the Registrar within 24 hours of the commencement of the segregation and the Registrar may revoke or vary the conditions of segregation.

3. Segregation shall not be used as a disciplinary measure.

4. No detained person may be kept in segregation for more than seven consecutive days without review.

5. If further segregation is necessary, the Chief Custody Officer shall report the matter to the Registrar before the end of the seven-day period. The medical officer shall confirm in writing the physical and mental fitness of a detained person to continue such segregation.

6. Every extension of segregation shall be subject to the same procedure as set out in sub-regulation 5.

7. The Chief Custody Officer shall inform the medical officer of any incident arising during segregation. The medical officer shall provide a written evaluation as to whether the detained person continues to be physically and mentally fit for segregation.

8. In the circumstances referred to in sub-regulation 1, a detained person may ask to be segregated from all or some of the other detained persons. Upon receipt of such a request and the reason(s) for it, the Chief Custody Officer shall consult the medical officer and determine whether such segregation is acceptable and shall report the outcome to the Registrar. A request for segregation may be granted unless, in the opinion of the medical officer, such segregation would be prejudicial to the mental or physical health of the detained person.

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9. The Chief Custody Officer and the medical officer shall review all cases of segregation at least once a week and report the outcome to the Registrar.

10. A detained person subject to segregation may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 202
Segregation of groups of detained persons

1. The Chief Custody Officer may organise the use of communal areas of the detention centre and partitioning of cells so as to segregate certain groups of detained persons from others for the safety of one or more detained persons and for the proper conduct and operation of the detention centre.

2. Care shall be taken to ensure that all such groupings are treated on an equal basis, having regard to the number of detained persons falling within each group.

3. Segregations shall be reported to the Registrar, who may vary the nature, basis or conditions of such segregation.

4. Regulation 201, sub-regulations 4 to 9 shall apply *mutatis mutandis*.

5. A detained person subject to segregation under this regulation may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 203
Instruments of restraint

1. Instruments of restraint shall never be used as a disciplinary measure.

2. Chains or irons shall never be used as restraints. Handcuffs, restraint-jackets and other body restraints shall never be applied as disciplinary measure. They shall only be used in the following circumstances:

   (a) As a precaution against escape during transport from and to the detention centre or from and to any other place;

   (b) On medical grounds, by direction and under the supervision of the medical officer; or

   (c) To prevent a detained person from inflicting injury to himself or herself or to others, or to prevent serious damage to property.

3. In the event of any incident arising in the use of instruments of restraint, the Chief Custody Officer shall consult the medical officer and report to the Registrar, who shall report the matter to the Presidency.

4. The medical officer shall inform the Chief Custody Officer and the Registrar in writing as to whether he or she concurs with the use of a particular instrument of restraint and the Chief Custody Officer shall give effect to any recommendation the medical officer may make.

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5. Instruments of restraint shall be removed at the earliest possible opportunity.

6. If the use of any instrument of restraint is required under sub-regulation 2, the detained person shall be kept under constant and adequate supervision.

Regulation 204
Situations in which the use of force may be necessary

1. Force shall only be used against a detained person as a last resort. The staff of the detention centre shall use the minimum force necessary to restrain the detained person and restore order.

2. The staff of the detention centre may use force against a detained person in the following circumstances:

   (a) In self-defence, or in defence of a detained person or any other person in the detention centre; or

   (b) In cases of:

      (i) Attempted escape; or

      (ii) Active or passive resistance to an order based upon these Regulations or any regulation regarding detention matters.

3. Members of staff who need to use force against a detained person in the course of their duty shall report the incident immediately to the Chief Custody Officer, who shall provide a report to the Registrar.

4. The Chief Custody Officer shall ensure that the detained person against whom force has been used is examined as soon as possible and, where necessary, treated by the medical officer. The medical examination shall be conducted in private and in the absence of any non-medical staff.

5. The results of the examination, including any relevant statement by the detained person, and the medical officer's opinion, shall be formally recorded and made available to:

   (a) The detained person, in a language he or she fully understands and speaks;

   (b) The Chief Custody Officer;

   (c) The Registrar; and

   (d) The Presidency.

6. The Chief Custody Officer shall keep a log of every instance of the use of force against a detained person.

7. A detained person against whom force has been used may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

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Section 4 Discipline and Control

Regulation 205
Supervision of detained persons

Detained persons may be supervised by officers of either gender except for the purposes of regulation 194.

Regulation 206
Prohibition of imposition of disciplinary measures without due process

No disciplinary measures shall be imposed on a detained person without due process in accordance with these Regulations. No detained person shall be subjected to a disciplinary measure twice for the same act.

Regulation 207
Disciplinary offences

The following conduct shall constitute a disciplinary offence:

(a) Failure to obey an order or instruction given by a member of the staff of the detention centre;

(b) Violent behaviour or aggression towards a member of staff of the detention centre, another detained person or any visitor to the detention centre;

(c) Possession of any prohibited item or substance, as referred to in regulation 166, sub-regulations 2 or 7, or in regulation 167, sub-regulation 2;

(d) Repeated misconduct after a warning has been given pursuant to regulation 211, sub regulation 1 (c);

(e) Escape or attempted escape from custody;

(f) Verbal abuse directed at a member of staff of the detention centre, another detained person or any visitor to the detention centre;

(g) Intentionally obstructing a member of staff in the execution of his or her duty, or any person who is at the detention centre for the purpose of working there, in the performance of his or her work;

(h) Destroying or damaging any part of the detention centre or any property, other than his or her own; or

(i) Inciting or attempting to incite another detained person to commit any of the foregoing offences.

Regulation 208
Commencement of disciplinary procedure

1. Where a detained person is suspected of committing any of the offences described in regulation 207, the Chief Custody Officer shall be immediately informed and, in accordance with these Regulations, shall determine whether the detained person should or should not be charged with the offence.

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2. When it is necessary to charge a detained person with a disciplinary matter according to these Regulations, this shall be done no later than 48 hours from the time of the alleged offence or from the time the alleged offence was discovered.

3. The Chief Custody Officer shall immediately report all instances of misconduct to the Registrar, and a log shall be kept of the time and full details of the alleged offence.

Regulation 209
Temporary segregation

1. Where the Chief Custody Officer believes it to be necessary, the detained person who is to be charged with a disciplinary offence may be temporarily segregated from other detained persons.

2. Pending completion of the investigation of the alleged breach of discipline pursuant to regulation 210, the Chief Custody Officer may vary or revoke any such temporary segregation.

3. The Chief Custody Officer shall immediately report the matter to the Registrar, who shall report it to the Presidency.

Regulation 210
Investigation of an alleged breach of discipline

1. The Chief Custody Officer shall conduct an investigation of an alleged breach of discipline before imposing any punishment pursuant to regulation 211, sub-regulation 1.

2. A detained person who is charged with a disciplinary offence shall be informed of the charge and the evidence on which it is based at least 24 hours before the hearing by the Chief Custody Officer, so that he or she can consider any defence or explanation he or she may wish to make.

3. In conducting the investigation, the Chief Custody Officer shall satisfy himself or herself that the detained person understands the charge and has had sufficient time to prepare his or her defence or explanation. He or she shall ensure that the detained person is given the opportunity to explain his or her behaviour, to call witnesses to give evidence on his or her behalf and to question those who give evidence against him or her. The Chief Custody Officer shall ensure that the services of an interpreter are available where necessary.

Regulation 211
Disciplinary measures

The Chief Custody Officer may impose any of the following disciplinary measures, or all or any combination thereof, as he or she sees fit:

(a) Confiscation of an offending item;

(b) Removal or reduction of privileges or of the use of personal possessions, e.g. television, radio or books, for a period not exceeding one week;

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(c) Oral or written warning;

(d) Written notice of suspended punishment to come into effect immediately upon a further breach of these Regulations within a period of three months of the date of the initial offence;

(e) Loss of earnings, if applicable; and

(f) Confinement to a cell.

Regulation 212
Isolation

1. A detained person may only be confined to an isolation cell by order of the Chief Custody Officer in order to prevent the detained person from inflicting injury on himself or herself, or on other detained persons, and, in exceptional circumstances, to preserve the security and good order of the detention centre. Under no circumstances, isolation shall be used as a disciplinary measure.

2. The Chief Custody Officer shall keep a log of all events concerning the detained person's confinement to the isolation cell.

3. The Chief Custody Officer shall inform the medical officer of all cases of use of the isolation cell. The medical officer shall provide a written evaluation as to whether the detained person is physically and mentally fit for such isolation.

4. No detained person may be kept in the isolation cell for more than seven consecutive days without review.

5. If further isolation is necessary, the Chief Custody Officer shall report the matter to the Registrar before the end of the seven-day period. The medical officer shall confirm in writing the physical and mental fitness of a detained person to continue such isolation.

6. Every extension of use of the isolation cell shall be subject to the same procedure as set out in sub-regulation 5.

7. A detained person who has been confined to the isolation cell shall be visited by the Chief Custody Officer and the medical officer or his or her deputy each day.

8. A detained person who has been confined to the isolation cell may request medical assistance at any time. Such assistance shall be provided as soon as possible and, in any event, within 24 hours of the request.

9. A detained person confined to the isolation cell may file a complaint in accordance with the complaints procedure set out in section 5 of this chapter.

Regulation 213
Obligations incumbent on the Chief Custody Officer in respect of the use of the isolation cell

1. The Chief Custody Officer shall immediately report all cases of use of the isolation cell to the Registrar, who shall in turn report the matter to the Presidency.

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2. The Presidency may order the release of a detained person from the isolation cell at any time.

Regulation 214
Record of investigation and disciplinary measures imposed

1. A written record of every investigation shall be kept and shall include verbatim details of the charge made, the evidence presented, the defence or explanation offered by the detained person, the Chief Custody Officer's finding, the disciplinary measure imposed and the reasons thereof.

2. In the event of the imposition of disciplinary measures, a copy of the record shall be given to the detained person in one of the working languages of the Court. If he or she does not understand the language of the statement of the measures and the reasons therefor, a translation into a language he or she fully understands and speaks shall be provided as soon as possible and, in any event, no later than twelve hours after the disciplinary measures are imposed.

Regulation 215
Right to address the Registrar

1. The detained person shall be informed of his or her right to address the Registrar on the issue of both the determination of a disciplinary offence and the disciplinary measure imposed by the Chief Custody Officer.

2. Within 24 hours of the notification of the imposition of the disciplinary measure, the detained person shall advise the Chief Custody Officer of his or her wish to address the Registrar. Such notice may be given orally or in writing by the detained person.

3. The Chief Custody Officer shall record the request and inform the Registrar immediately thereof.

4. The Registrar shall decide upon the detained person's request within three calendar days of its receipt.

5. Counsel for the detained person may assist him or her in connection with any such request. Where the detained person does not have appointed counsel, he or she may be assisted by the duty counsel.

6. Any disciplinary measure imposed by the Chief Custody Officer shall continue in full force and effect pending the decision of the Registrar.

7. The decision of the Registrar shall be notified to the detained person in a language the detained person fully understands and speaks.

8. The Registrar may order the restoration of confiscated items or privileges, repayment of any fine imposed, cancellation of any warning or suspended disciplinary measures or end of confinement to the cell. The Registrar may take any other action he or she sees fit in the circumstances.

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Regulation 216
Right to address the Presidency

1. A detained person is informed of his or her right to address the Presidency concerning the decision taken by the Registrar in accordance with regulation 213.

2. Regulation 215, sub-regulations 2 to 8 shall apply *mutatis mutandis*.

3. At the request of the Presidency, the Registrar shall make available the entire record of the investigation, as described under regulation 214, sub-regulation 1.

Section 5 Complaints Procedure

Regulation 217
Procedure before the Chief Custody Officer

1. A detained person may make an oral or written complaint on any matter concerning his or her detention to the Chief Custody Officer at any time.

2. If the detained person makes an oral complaint, the Chief Custody Officer may ask the detained person to make such a complaint in writing. If the detained person does not want to make the complaint in writing, or he or she is unable to do so, the Chief Custody Officer shall record the complaint in writing.

3. The Chief Custody Officer shall acknowledge in writing that a complaint has been made.

4. A log shall be kept of all complaints and of the action taken in respect thereof. The log shall include:

   (a) The name of the detained person;

   (b) The complaint reference number;

   (c) The date and time the complaint was received;

   (d) The nature of the complaint;

   (e) The details and reasons for the decision taken and the date on which it took effect; and

   (f) The date and the result of the final outcome when all remedies have been exhausted.

5. In confidential matters, a detained person may make a sealed written complaint to the Chief Custody Officer. The detained person shall be informed that if the complaint involves a member of staff it may be necessary to make the complaint known to that person so that it can be fully investigated.

6. The detained person may be assisted by his or her counsel. Where the detained person has no appointed counsel, he or she may be assisted by the duty counsel.

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Regulation 218
Investigation of a complaint

1. A complaint shall be investigated promptly and efficiently, seeking the views of all persons involved.

2. The detained person shall be permitted to communicate freely on the matter with the Chief Custody Officer.

Regulation 219
Response to a complaint

1. The complaint shall, where possible, be dealt with within seven calendar days of its receipt and, in any event, no more than 14 calendar days of the date of receipt.

2. In the case of a complaint filed in respect of a denial and regulation 157, sub-regulations 9 and 11, the complaint shall be dealt with no later than three calendar days after its receipt and the decision shall be notified to the detained person no later than five calendar days after it was received.

3. If the complaint is justified, action to rectify the matter shall, if possible, be taken within 14 calendar days and the detained person shall be informed thereof accordingly.

4. If the complaint is justified, but the matter will take longer than 14 calendar days to resolve, the Chief Custody Officer, after consultation with the Registrar, shall notify both the detained person and the Presidency thereof and shall keep them informed of what action is being taken.

5. If the complaint is found to be without substance, the detained person and his or her counsel shall be notified in writing, giving the reasons for the rejection of the complaint.

Regulation 220
Procedure before the Registrar

1. A detained person may address the Registrar concerning the decision taken by the Chief Custody Officer under regulation 219. He or she shall address the Registrar within 48 hours from the notification of the decision using the approved standard form.

2. The complaint shall not be read or censored by the staff of the detention centre and the Registrar shall transmit it to the Presidency without delay.

3. The detained person may be assisted by his or her counsel. Where the detained person has no appointed counsel, he or she may be assisted by the duty counsel.

4. The Chief Custody Officer shall transmit to the Registrar all information collected during the previous investigation of the complaint.

5. Regulations 217, 218 and 219 shall apply *mutatis mutandis*.

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Regulation 221
Procedure before the Presidency

1. A detained person may address the Presidency concerning the decision taken by the Registrar under regulation 220. He or she shall address the Presidency within 48 hours from the notification of the decision using the approved standard form.

2. At the request of the Presidency, the Registrar shall make available any information obtained in the course of the previous investigations of the complaint.

3. Regulations 217, 218, 219 and 220 shall apply *mutatis mutandis.*

Regulation 222
Subsequent complaint

1. Rejection of a complaint by the Chief Custody Officer, the Registrar or the Presidency does not prevent the detained person from raising the complaint again.

2. In such a case, the Chief Custody Officer, the Registrar or the Presidency may reject the complaint without further investigation if it does not reveal additional matters for consideration.

3. In any case, a detained person may, at any time during an inspection of the detention centre by an independent inspecting authority, raise his or her concern with regard to any matter concerning his or her detention and discuss it with representatives of the independent inspecting authority out of the sight and hearing of the staff of the detention centre.

Section 6 Detention at the seat of the Court after conviction and before transfer to the State of enforcement

Regulation 223
Detention after conviction

These Regulations and any other regulation relating to detention matters shall apply *mutatis mutandis* during the period in which a detained person remains in the detention centre after conviction and before transfer to the State of enforcement.