



Original: **English**

No.: **ICC-01/04**
Date: **18 July 2008**

THE PRESIDENCY

Before: Judge Philippe Kirsch, President
Judge Akua Kuenyehia, First Vice-President
Judge René Blattmann, Second Vice-President

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public Document

Order

concerning the “Request for Review of the Registrar’s Decision of 28 March 2008 on the Application for Legal Assistance Paid by the Court Filed by Mr Keta on behalf of Victims a/0016/06, a/0018/06, a/0021/06, a/0025/06, a/0028/06, a/0031/06, a/0032/06, a/0034/06, a/0042/06, a/0044/06, a/0045/06, a/0142/06, a/0148/06, a/0150/06, a/0188/06, a/0199/06, a/0228/06 under Regulation 85(3) of the Regulations of the Court”

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

Legal Representatives of the Victims
Mr Joseph Keta

The Office of Public Counsel for Victims
Ms Paolina Massidda, Principal Counsel

REGISTRY

Registrar
Ms Silvana Arbia

Division of Victims and Counsel
Mr Didier Preira, Head, Division of Victims
and Counsel

**Victims Participation and Reparations
Section**
Fiona McKay

The Presidency of the International Criminal Court;

Having before it the application of Mr Joseph Keta (“applicant”) of 14 April 2008 entitled, “Request for Review of the Registrar’s Decision of 28 March 2008 on the Application for Legal Assistance Paid by the Court Filed by Mr Keta on behalf of Victims a/0016/06, a/0018/06, a/0021/06, a/0025/06, a/0028/06, a/0031/06, a/0032/06, a/0034/06, a/0042/06, a/0044/06, a/0045/06, a/0142/06, a/0148/06, a/0150/06, a/0188/06, a/0199/06, a/0228/06 under Regulation 85(3) of the Regulations of the Court” (“Application”);¹

Noting the Registrar’s Observations of 6 May 2008 entitled “Registrar’s Observations under regulations 24 *bis* and 34(b) of the Regulations of the Court in respect of the Request for Review of the Registrar’s Decision on the Application for Legal Assistance Paid by the Court Filed by Mr Keta on behalf of Victims a/0016/06, a/0018/06, a/0021/06, a/0025/06, a/0028/06, a/0031/06, a/0032/06, a/0034/06, a/0042/06, a/0044/06, a/0045/06, a/0142/06, a/0148/06, a/0150/06, a/0188/06, a/0199/06, a/0228/06, dated 28 March 2008” (“Observations”);²

Noting that by his Application the applicant requests the Presidency to set aside the Registrar’s decision of 28 March 2008 on indigence and legal assistance³, in particular the fact that such decisions are contingent on, inter alia, “additional information on the [victims’] current financial situation”;⁴

Noting that the Registrar in her Observations requests the Presidency to, inter alia, “affirm that the Registrar’s decisions on the [victims’] indigence and legal assistance are subject to the submission of [...] additional information concerning the [victims’] current financial situation”;⁵

¹ ICC-01/04-494-tENG.

² ICC-01/04-497-tENG.

³ Corrigendum to the “Registrar’s Decision on the Application for Legal Assistance Paid by the Court Filed by Mr Keta on behalf of Victims a/0016/06, a/0018/06, a/0021/06, a/0025/06, a/0028/06, a/0031/06, a/0032/06, a/0034/06, a/0042/06, a/0044/06, a/0045/06, a/0142/06, a/0148/06, a/0150/06, a/0188/06, a/0199/06, a/0228/06”, ICC-01/04-497-Anx1-tENG.

⁴ Application, paragraph 43.

⁵ Observations, page 17.

Understands this “additional information” to refer to information which was absent in the applicant’s application for indigence and legal assistance for victims;⁶

ORDERS the Registrar, pursuant to regulation 28(1) of the Regulations of the Court, to either confirm or refute this understanding;

ORDERS the Registrar to provide it with copies of the following:

the letter of 7 January 2008 entitled “Process, scope and functioning of legal assistance before the Court”;⁷

the letter of 31 January 2008 entitled “Statement of indigence and application for legal assistance”;⁸

the letter of 22 February 2008 entitled “Application for legal assistance paid by the International Criminal Court of Victims a/0016/06, a/0018/06, a/0021/06, a/0025/06, a/0028/06, a/0031/06, a/0032/06, a/0034/06, a/0042/06, a/0044/06, a/0045/06, a/0142/06, a/0148/06, a/0150/06, a/0188/06, a/0199/06, a/0228/06: Presentation of plan of action”;⁹

the letter of 3 March 2008 entitled “Re. Additional information relating to the application for legal assistance”;¹⁰ and,

⁶ Comprised of the “Statement of indigence and application for legal assistance” of 31 January 2008; the “Application for legal assistance paid by the International Criminal Court of Victims a/0016/06, a/0018/06, a/0021/06, a/0025/06, a/0028/06, a/0031/06, a/0032/06, a/0034/06, a/0042/06, a/0044/06, a/0045/06, a/0142/06, a/0148/06, a/0150/06, a/0188/06, a/0199/06, a/0228/06: Presentation of plan of action” of 22 February 2008; and the “Additional information concerning my application for legal assistance of 22 February 2008” of 7 March 2008.

⁷ See Application, paragraph 2 (reference VPRS-LA-2007-031).


⁸ See Registrar’s Decision on the Indigence of Victims a/0016/06, a/0018/06, a/0021/06, a/0025/06, a/0028/06, a/0031/06, a/0032/06, a/0034/06, a/0042/06, a/0044/06, a/0045/06, a/0142/06, a/0148/06, a/0150/06, a/0188/06, a/0199/06, a/0228/06; ICC-01/04-490-tENG, 26 March 2008 (“Decision of 26 March 2008”), page 2; Decision of 28 March, page 2; Application, paragraph 3; and Observations, page 3.

⁹ See Decision of 28 March, page 3; and Observations, pages 3 and 4.

¹⁰ See Decision of 26 March, page 3.

the letter of 7 March 2008 entitled “Additional information concerning my application for legal assistance of 22 February 2008”.¹¹

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



Judge Akua Kuenyehia, First Vice President
On behalf of Judge Philippe Kirsch, President

Dated this 18 July 2008

At The Hague, The Netherlands

¹¹ See Decision of 26 March 2008, page 3; and Observations, page 4.