

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-Presidency
Date: 17 February 2009

THE PRESIDENCY

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

CONFIDENTIAL

**Request for review of the decision of the Registrar pursuant to regulation 56 of the
Regulations of the Registry**

Source: Registrar

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

The Office of the Prosecutor

Counsel for the Defence

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States Representatives

Amicus Curiae

REGISTRY

Registrar
Silvana Arbia

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other
Ms Magdalena Ayode

The Registrar of the International Criminal Court ("The Court")

NOTING the Decision of the Registrar ("the Decision") dated 7 January 2009;

NOTING the letter sent by Ms Magdalena Ayode dated 20 January and received by the Registry on 6 February 2009;

NOTING regulation 44 of the Regulations of the Court and regulation 56 of the Regulations of the Registry;

CONSIDERING that the Registrar decided not to include Ms. Magdalena on the list of experts of the Court;

CONSIDERING that the applicant requested review of the said decision by the Presidency;

SUBMITS the following report:

Admissibility of the request for review

1. The Registrar sent the letter of refusal on 7 January. The applicant received the letter of refusal on 16 January. The request for review was received at the Court on 29 January. Accordingly, the request for review was filed on time by the participant namely within 15 days of the notification of the letter of refusal as per Regulation 56(2) of the Regulations of the Registry.

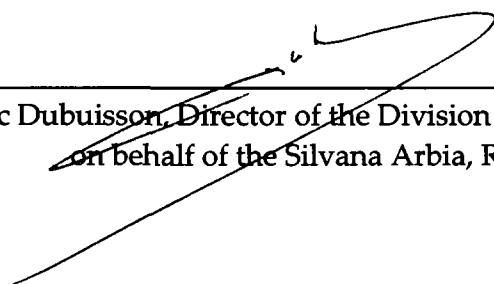
Reasons for the decision of refusal

2. The assessment conducted by the external consultant whose task is to verify the human resources background of each candidate, concluded that "the candidate has serviced for 3 years and a half as an expert in a national Court in Poland in the field of finance, management and organization. With a total of 5 years of relevant experience, the candidate does not meet the criteria to be registered as an expert of the Court".
3. An expert must indeed be able to demonstrate that he or she has a minimum of 7 years of experience (with an advanced university degree) or of 9 years (without such a degree) to be accepted on the list. This corresponds in the classification of the Court to the minimum P4 level required for this task.
4. In addition, the field of expertise "finance" is to be understood in the context of financial investigations and freezing of goods and assets. The applicant's field of expertise was not deemed to meet the needs of the Court as it mainly focuses on business activities at the national level (Poland).

SUBMITS

- The applicant's file (annex 1)
- The letter of refusal of the Registrar (annex 2)
- The request for Presidency's review by the applicant (annex 3)

REQUESTS the Presidency to confirm the Decision of the Registrar.



Marc Dubuisson, Director of the Division of Court services
on behalf of the Silvana Arbia, Registrar

Dated this 17 February 2009

At The Hague, The Netherlands