

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-RoR56-02/09

Date: 28 October 2009

THE PRESIDENCY

**Before: Judge Sang-Hyun Song, President
Judge Fatoumata Dembele Diarra, First Vice-President
Judge Hans-Peter Kaul, Second Vice-President**

Public redacted

Decision concerning the classification of the “Decision on the application to review the decision of the Registrar denying the admission of X to the list of experts” of 17 September 2009

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

REGISTRY

Registrar

Ms Silvana Arbia

Other

X, Applicant

Deputy Registrar

Mr Didier Preira

The Presidency of the International Criminal Court;

In the application of X (“applicant”) dated 11 June 2009 for judicial review of the decision of the Registrar refusing to include him in the list of experts (“Application”);¹

Noting the Presidency’s decision on the Application of 17 September 2009, entitled “Decision on the application to review the decision of the Registrar denying the admission of X to the list of experts” (“Decision”);²

Noting that the Presidency determined that nothing in the Decision *prima facie* classified it as confidential and ordered the applicant to inform it of any factual or legal basis for maintaining the confidential classification of the Decision or of any information requiring redaction prior to publication;³

Noting that, on 8 October 2009, the applicant contacted the Presidency indicating that he received the Decision on 24 September 2009, following which the Presidency, on 13 October 2009, requested that the applicant clarify his views on the publication of the Decision; Noting the submission of the applicant of 25 October 2009 (“Submission”) that the publication of the Decision is unnecessary since it only has bearing upon his application to be included on the list of experts;⁴

Considering that the Presidency is currently minded to publish its Decision in a redacted form, omitting any details which may identify the applicant, i.e. his name, place of residence and employment history;

Considering that it is no longer necessary to allow the Registrar until 30 November 2009 to present her views on the reclassification of the Decision;

Hereby

Amends the date by which the Registrar may provide any response to the Submission or provide any additional reasons as to why the Decision should retain its confidential classification or indicate whether there is any information further to that specified by the Presidency above which requires redaction prior to publication to 4 p.m. on 3 November 2009.

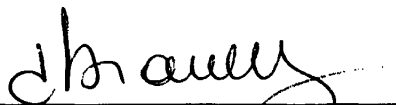
¹ ICC-RoR56-02/09-1-Conf-Anx1.

² ICC-RoR56-02/09-3-Conf.

³ Decision, paragraph 20.

⁴ Annex.

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



Judge Fatoumata Dembele Diarra, First Vice-President
On behalf of Judge Sang-Hyun Song, President

Dated this 28 October 2009

At The Hague, The Netherlands