

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-RoR221-05/14

Date: 6 June 2014

THE PRESIDENCY

Before: Judge Sang-Hyun Song, President
Judge Sanji Mmasenono Monageng, First Vice-President
Judge Cuno Tarfusser, Second Vice-President

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

Public Document

Order concerning the “Application to the Presidency pursuant to regulation 221 of the Regulations of the Registry for judicial review of the Registrar’s decision notified on 29 April 2014”

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

Legal representative
Mr. Ghislain Mabanga

REGISTRY

Registrar
Mr. Herman von Hebel

Detention Section
Mr. Paddy Craig

The Presidency of the International Criminal Court (“the Court”);

HAVING before it an application notified on 29 April 2014 (“Application”) of witness DRC-D02-P-0236 (“Applicant”) for judicial review, pursuant to regulation 221 of the Regulations of the Registry, of the Registrar’s decision dated 17 April 2014 rejecting the Applicant’s request for review of the Chief Custody Officer’s decision dated 8 April 2014 rejecting the Applicant’s complaint regarding an alleged refusal to provide him with a pair of athletic shoes;¹

HAVING also before it a request for review notified on 5 May 2014 (“Request”) of the Applicant to the Registrar, pursuant to regulation 220 of the Regulations of the Registry, of the Chief Custody Officer’s decision dated 1 May 2014 rejecting the Applicant’s complaint regarding alleged misconduct by a staff member of the Detention Centre during an investigation conducted in relation to the Application;²

NOTING the orders by the Appeals Chamber dated 20 January³ and 21 May 2014;⁴

NOTING that the “Information relative au transfèrement du témoin DRC-D02-P-0236 aux autorités de l’Etat hôte” filed by the Registry on 5 June 2014 indicates that the Applicant was transferred from the Court’s Detention Centre into the custody of Dutch authorities on 4 June 2012;⁵

HEREBY ORDERS that the Application and the Request are rendered moot and are accordingly dismissed.

¹ Transmission d’une requête en appel de la décision du Greffier en date du 24 avril 2014 en application de la norme 221 du Règlement du Greffe, ICCRoR221-05/14-Conf-Exp.

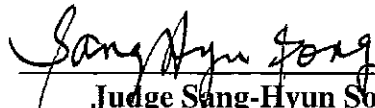
² Transmission de documents à la Présidence dans le cadre de la norme 221 du Règlement du Greffe, ICCRoR221-05/14-3-Conf-Exp. The Request was transmitted by the Registrar to the Presidency on the grounds that its contents “se rapporte directement à la plainte . . . [du] « réquerant » . . . relative à la décision du Greffier de ne pas faire droit à sa demande de fourniture de chaussures de sport” and to permit the Presidency “de ne pas avoir à se prononcer à nouveau sur la même matière une seconde fois vu qu’elle est déjà saisie de la question”. ICC-RoR221-05/14-3-Conf-Exp, page 3.

³ ICC-01/04-02/12-158.

⁴ ICC-01/04-02/12-179.

⁵ Information relative au transfèrement du témoin DRC-D02-P-0236 aux autorités de l’Etat hôte, ICC-RoR221-05/14-4-Conf; see also Press Release, “ICC transfers three detained witnesses to Dutch custody”, 4 June 2014, ICC-CPI-20140604-PR1010.

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



Judge Sang-Hyun Song
President

Dated this 6 June 2014

At The Hague, The Netherlands