

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No. **ICC-PTCI-01/21**

Date: **29 April 2021**

PRE-TRIAL CHAMBER I

Before:

Judge Péter Kovács, Presiding Judge

Judge Reine Adélaïde Sophie Alapini-Gansou

Judge María del Socorro Flores Liera

SITUATION IN THE REPUBLIC OF THE PHILIPPINES

SECRET

Ex parte, only available to the Prosecutor

**Decision on the Prosecutor's Request for extension of page limit for
article 15(3) Request**

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

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 Representative

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

PRE-TRIAL CHAMBER I (the ‘Chamber’) of the International Criminal Court (the ‘Court’) issues this Decision on the Prosecutor’s Request for extension of page limit for article 15(3) Request.

I. PROCEDURAL HISTORY

1. On 16 March 2021, the Presidency of the Court recomposed the Chamber and assigned the following situations to it: Democratic Republic of the Congo; Libya; Republic of Mali; Gabonese Republic; Registered Vessels of Comoros, Greece and Cambodia; Palestine; People’s Republic of Bangladesh and the Republic of the Union of Myanmar; Plurinational State of Bolivia; Georgia; Bolivarian Republic of Venezuela I and Bolivarian Republic of Venezuela II.¹

2. On 19 April 2021, the Presidency also assigned, with immediate effect, the situation in the Republic of the Philippines to the Chamber.²

3. On 20 April 2021, the Chamber received the Prosecutor’s ‘Request for extension of page limit for article 15(3) Request’³ (the ‘Request for extension of page limit’), requesting the Chamber to grant an extension of the page limit for the request by an additional 50 pages pursuant to regulations 37(2) and 38(2)(e) of the Regulations of the Court (the ‘Regulations’).⁴ The Prosecutor submits that ‘[t]he complexity of the factual and legal issues contained in the Request’ constitutes an exceptional circumstance warranting an extension of the page limit prescribed in regulation 38(2)(e) of the Regulations and that the requested extension of the page limit will permit the Prosecution ‘to set forth in appropriate detail the factual and legal issues relevant to its Request’ and ‘to describe in sufficient detail the nature and pattern of the alleged crimes, as well as the structure and operations of the groups allegedly involved in the crimes and their *modus operandi*’.⁵

II. DETERMINATION BY THE CHAMBER

4. The Chamber recalls regulation 37(2) of the Regulations pursuant to which it ‘may, at the request of a participant, extend the page limit in exceptional circumstances’. The Chamber

¹ ICC-Pres-01/21, pp. 6-7, 9.

² Decision on the assignment of the situation in the Republic of the Philippines, ICC-01/21-1-SECRET-Exp.

³ ICC-01/21-2-SECRET-Exp.

⁴ Request for extension of page limit, para. 5.

⁵ Request for extension of page limit, para. 4.

notes that the request does not specifically address the exceptional circumstances test contained in the afore-mentioned regulation. In particular, the request does not provide adequate reasons why '[t]he complexity of the factual and legal issues contained in the Request' cannot be addressed sufficiently within the 60 page limit provided for in regulation 38(2)(e) of the Regulations. The Chamber is not satisfied that the mere invocation of particular complexity without more amounts to exceptional circumstances within the meaning of regulation 37(2) of the Regulations.⁶

FOR THESE REASONS, THE CHAMBER HEREBY

REJECTS the Request for extension of page limit.

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



Judge Péter Kovács, Presiding Judge



**Judge Reine Adélaïde Sophie
Alapini-Gansou**



**Judge María del Socorro
Flores Liera**

Dated this Thursday, 29 April 2021

At The Hague, The Netherlands

⁶ See also Trial Chamber I, Decision rejecting prosecution's request for extension of page limit, 11 September 2007, ICC-01/04-01/06-950, para. 4.