

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original : English

No.: ICC-01/04-01/06

Date: 10 December 2007

TRIAL CHAMBER I

Before: Judge Adrian Fulford, Presiding Judge
Judge Elizabeth Odio Benito
Judge René Blattmann

Registrar: Mr Bruno Cathala

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. THOMAS LUBANGA DYILO***

Public

Decision on prosecution's request for extension of page limit

Office of the Prosecutor

Mr Luis Moreno-Ocampo, Prosecutor
Ms Fatou Bensouda, Deputy Prosecutor
Mr Ekkehard Withopf, Senior Trial Lawyer

Counsel for the Defence

Ms Catherine Mabilie
Mr Jean-Marie Biju-Duval

Legal Representatives of Victims

a/0001/06 to a/0003/06 and a/0105/06

Mr Luc Walley
Mr Franck Mulenda
Ms Carine Bapita Buyangandu

1. The Trial Chamber is seized of a "Prosecution's request for extension of the page limit of the 'summary of presentation of evidence'" ("prosecution's request") filed on 4 December 2007 which requests an extension of the 20 pages page limit to 50 pages pursuant to Regulation 37(2) of the Regulations of the Court in order "to meet the criteria for the "summary of the presentation of evidence" as established by the Trial Chamber".¹
2. The prosecution submits that the extension of page limit is necessary to "sufficiently inform the Trial Chamber and the Defence of the Prosecution's case for trial",² by making "specific reference to the witnesses it intends to call at trial and the other evidence it intends to rely upon, which is anticipated to result in a document that is footnote-heavy, thus adding to the number of pages".³
3. Following an order of the Chamber shortening the time-limit for any response to the prosecution's request,⁴ the defence filed a response on 6 December 2007, which did not object to the prosecution's request.⁵
4. Pursuant to Regulation 37(2), which provides that "[t]he Chamber may, at the request of a participant, extend the page limit in exceptional circumstances", the Trial Chamber finds that the reasons stated in the request constitute exceptional circumstances and hereby grants the prosecution an extension of the 20 pages page limit to 50 pages for the filing of the "summary of presentation of evidence".

¹ ICC-01/04-01/06-1055, paragraph 10.

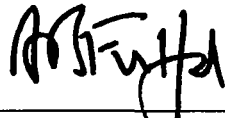
² *Ibid*, paragraph 7.

³ *Ibid*, paragraph 8.

⁴ Order amending time limit to respond to the 'Prosecution's request for extension of the page limit of the 'summary of presentation of evidence' ", 5 December 2007, ICC-01/04-01/06-1057.

⁵ ICC-001/04-01/06-1059. Paragraph 3.

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



Judge Adrian Fulford



Judge Elizabeth Odio Benito



Judge René Blattmann

Dated this 10 December 2007

At The Hague, The Netherlands