

**Cour  
Pénale  
Internationale**

**International  
Criminal  
Court**



Original: **English**

No.: **ICC-02/11-01/11**

Date: **21 July 2014**

**PRE-TRIAL CHAMBER I**

**Before: Judge Silvia Fernández de Gurmendi, Single Judge**

**SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE**

***IN THE CASE OF***

***THE PROSECUTOR v. LAURENT GBAGBO***

**Public**

**Prosecution Request for Extension of Page Limit**

**Source: Office of the Prosecutor**

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

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**REGISTRY**

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**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations Other Section**

## Introduction

1. On 18 July 2014, upon request, the Single Judge of Pre-Trial Chamber I (“Single Judge”) granted a 30-page extension to the Defence<sup>1</sup> for any application they may file for leave to appeal the decision confirming the charges against Mr. Gbagbo (“Confirmation Decision”).<sup>2</sup> The Prosecution requests a modest similar extension for its response to any such application.

## Submissions

2. Regulation 37(1) of the Regulations of the Court provides that, ordinarily, a document filed with the Registry shall not exceed 20 pages in length. However, given “the complexity and the length of the pre-trial proceedings in the present case”, the Single Judge has determined that “exceptional circumstances” exist to justify the filing of any Defence application for leave to appeal the Confirmation Decision of no more than 50 pages in length.<sup>3</sup>

3. The same factors which militate in favour of granting an extension to the Defence in this case likewise justify an extension for the Prosecution. The pre-trial proceedings relevant to the Parties’ anticipated submissions are no less complex or lengthy, and the responsive nature of the Prosecution’s submissions will compel it to address the full variety of “questions and arguments”<sup>4</sup> which the Defence may present for the Single Judge’s consideration in its 50-page filing.

4. Given these circumstances, the Prosecution requests an extension of 20 pages to the applicable page limit, permitting it to file a response to any application for leave of no more than 40 pages. This is a modest request in light of the significant

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<sup>1</sup> See ICC-02/11-01/11-673 (“Extension Decision”). See also ICC-02/11-01/11-672.

<sup>2</sup> See ICC-02/11-01/11-656-Conf (“Confirmation Decision”). A public redacted version was also issued: ICC-02/11-01/11-656-Red.

<sup>3</sup> Extension Decision, para.6.

<sup>4</sup> See Extension Decision, para.4 (referring to Defence submissions on “the nature and number of questions and arguments which the Defence intends to present in a request for leave to appeal”).

extension granted to the Defence. The Prosecution makes this request in advance of the filing of any Defence application<sup>5</sup> in light of the three-day time limit for the Prosecution response under Regulation 65(3).

### **Relief sought**

5. The Prosecution requests the Single Judge to authorise the filing of a response to any application for leave to appeal the Confirmation Decision not exceeding 40 pages in length.



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Fatou Bensouda, Prosecutor

Dated this 21<sup>st</sup> day of July 2014

At The Hague, The Netherlands

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<sup>5</sup> See ICC-02/11-01/11-658 (granting an extension of time to the Defence to file any application for leave to appeal until five days after notification of the official French translation of the Confirmation Decision). Noting the notification of the official French translation on 18 July 2014, and applying Regulation 33, the Prosecution calculates the deadline to be 29 July 2014.