



**Original: English**

**No. ICC-01/14-01/18  
Date: 12 January 2022**

**TRIAL CHAMBER V**

**Before: Judge Bertram Schmitt, Single Judge**

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC II**

**IN THE CASE OF  
*THE PROSECUTOR v. ALFRED YEKATOM AND PATRICE-EDOUARD  
NGAISSONA***

**Public**

**Decision on the Prosecution Request to Suspend or Extend the Page Limit  
Regarding its Prospective Bar Table Applications**

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

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**Victims Participation and Reparations  
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**Other**

**Judge Bertram Schmitt**, acting as Single Judge on behalf of Trial Chamber V of the International Criminal Court, in the case of *The Prosecutor v. Alfred Yekatom and Patrice-Edouard Ngaïssona*, having regard to Regulation 37 of the Regulations of the Court (the ‘Regulations’), issues this ‘Decision on the Prosecution Request to Suspend or Extend the Page Limit Regarding its Prospective Bar Table Applications’.

1. On 23 December 2021, the Office of the Prosecutor (the ‘Prosecution’) requested the Chamber to suspend the applicable page limit regarding its upcoming bar table applications or, in the alternative, extend the relevant limit to 30 pages (the ‘Request’).<sup>1</sup>
2. The Yekatom Defence, the Ngaïssona Defence (collectively, the ‘Defence’), the Common Legal Representative of the Former Child Soldiers, and the Common Legal Representative of the Victims of the Other Crimes (collectively, the ‘CLR V’) indicated that they do not intend to respond to the Request.<sup>2</sup>
3. The Single Judge recalls that, according to Regulation 37(1) of the Regulations, a document filed with the Registry shall not exceed 20 pages. Pursuant to Regulation 37(2) of the Regulations, a chamber may extend this page limit, at the request of a participant, in ‘exceptional circumstances’.
4. The Single Judge notes the Prosecution’s submissions concerning the large number of items of evidence that it intends to submit through bar table applications, and that a suspension or extension of the page limit is necessary to comprehensively set out the relevance, probative value and other relevant information in a meaningful and coherent manner.<sup>3</sup> In this regard, he recalls that ‘[b]ar table applications shall contain (i) a short description of the item (and/or relevant portions therein); and (ii) a short description of the asserted relevance

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<sup>1</sup> Request to Suspend, or in the Alternative Extend, the Page Limit of the Prosecution’s Prospective Bar Table Applications, ICC-01/14-01/18-1229, paras 1, 9.

<sup>2</sup> See email from the Yekatom Defence, 5 January 2022, at 09:01; email from the Ngaïssona Defence, 5 January 2022, at 12:53; email from the Common Legal Representative of the Former Child Soldiers, 5 January 2022, at 13:19; email from the Common Legal Representative of the Victims of the Other Crimes to the Chamber’s Legal Officer, 11 January 2022, at 11:36.

<sup>3</sup> See Request, ICC-01/14-01/18-1229, paras 2-4.

and probative value pursuant to Rule 64(1) of the Rules'.<sup>4</sup> Finally, the Single Judge notes that neither the Defence nor the CLRV oppose the Request.

5. Accordingly, the Single Judge considers that exceptional circumstances exist, warranting a page extension. In light of the Prosecution's submissions, the Single Judge considers an extension to 30 pages sufficient in this instance and sees no need to generally suspend the relevant page limit.

**FOR THESE REASONS, THE SINGLE JUDGE HEREBY**

**PARTLY GRANTS** the Request, as set out in paragraph 5 above.

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



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**Judge Bertram Schmitt**

**Single Judge**

Dated 12 January 2022

At The Hague, The Netherlands

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<sup>4</sup> Initial Directions on the Conduct of the Proceedings, 26 August 2020, ICC-01/14-01/18-631, para. 62.