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From: Trial Chamber V Communications
Sent: 14 January 2021 12:58
To: [REDACTED]
Cc: [REDACTED]
Subject: Decision on page extension request ICC-01/14-01/18-750-Conf

Dear counsel,

The Single Judge takes note of the page extension request contained in the 'Prosecution's Request for the Formal Submission of the Prior Recorded Testimony of P-1962 pursuant to Rule 68(3)', ICC-01/14-01/18-750-Conf to allow for the 'consolidation of up to 10 witnesses' for its further upcoming Rule 68(3) applications (the 'Extension Request').

In the interests of efficiency, the Single Judge considers it appropriate to rule on the Extension Request at this juncture. A decision on the remainder of the request will be issued in due course.

According to Regulation 37(1) of the Regulations of the Court (the 'Regulations'), filings shall not exceed 20 pages. Pursuant to Regulation 37(2) of the Regulations, a chamber may extend the page limits, at the request of a participant, in 'exceptional circumstances'. The Single Judge recalls the considerations in his decision on the Prosecution's request to extend the page limit for its Rule 68(2)(b) applications (ICC-01/14-01/18-697, para. 8) and finds that they are equally relevant to the present Extension Request.

Accordingly, noting that the Prosecution is required to carefully assess all underlying witness statements and to develop its analysis on the requirements under Rule 68 of the Rules of Procedure and Evidence, and in light of the high number of anticipated applications, the Single Judge considers that exceptional circumstances exist, which require the extension of the applicable 20-page limit under Regulation 37(1) of the Regulations. The Single Judge does not deem it necessary to impose a specific number of pages at this point, and notes that the Prosecution made no concrete request in this regard. The Single Judge trusts that the Prosecution will keep its submissions succinct and focused on providing the Chamber with the necessary information to conduct a case-by-case assessment of each application.

Kind regards, TC V