

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 15 July 2013

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

Decision on the "Prosecution's request pursuant to Regulation 35 for variation of time limit to submit a request for redactions to the transcripts of interviews of two witnesses"

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

The Office of the Prosecutor
Fatou Bensouda, Prosecutor
James Stewart, Deputy Prosecutor

Counsel for the Defence
Emmanuel Altit
Agathe Bahi Baroan

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

Unrepresented Applicants for Participation/Reparation

The Office of Public Counsel for Victims
Paolina Massidda

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar & Deputy Registrar
Herman von Hebel, Registrar
Didier Preira, Deputy Registrar

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

Judge Silvia Fernández de Gurmendi, Single Judge for Pre-Trial Chamber I (the “Chamber”) of the International Criminal Court (the “Court”), responsible for carrying out the functions of the Chamber in relation to the situation in the Republic of Côte d’Ivoire and the cases emanating therefrom,¹ hereby issues the decision on the “Prosecution’s request pursuant to Regulation 35 for variation of time limit to submit a request for redactions to the transcripts of interviews of two witnesses” (the “Request”).²

1. On 3 June 2013, the Chamber issued the “Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute” (the “Adjournment Decision”), in which it decided to adjourn the confirmation of charges hearing and requested the Prosecutor to consider providing further evidence or conducting further investigation, and adopted for that purpose a new disclosure calendar.³ The Chamber also requested the Prosecutor to submit “as soon as practicable and no later than Friday, 5 July 2013 any requests for redactions with regards to the evidence which is in her possession and on which she intends to rely for the purposes of the confirmation of charges”.⁴

2. On 5 July 2013, the Prosecutor filed the Request, seeking an extension of time to submit a request for redactions to the transcripts of the interviews of two witnesses.⁵

3. The Request concerns the interviews of witnesses P-0321 and P-0324 conducted in 2013, which produced, respectively, 28 and 12 transcripts. The Prosecutor explains that the interviews were conducted prior to the

¹ ICC-02/11-01/11-61.

² ICC-02/11-01/11-448-Conf-Exp. A public redacted version is available (ICC-02/11-01/11-448-Red).

³ ICC-02/11-01/11-432, p. 22.

⁴ *Id.*

⁵ ICC-02/11-01/11-448-Conf-Exp. A public redacted version is available (ICC-02/11-01/11-448-Red).

Adjournment Decision but that, “[i]n light of the resources available, competing priorities and deadlines of the different cases”, the transcripts could not be ready to be submitted for redactions by the deadline set up by the Chamber. The Prosecutor states that she expects to be able to submit requests for redactions in relation to both witnesses by 29 July 2013.⁶

4. The Prosecutor submits that “the Defence will not suffer any undue prejudice since the extension is limited in time and to the interviews of two witnesses”. She adds that the redactions should be sought pursuant to rule 81(2) of the Rules of Procedure and Evidence and be limited to the names of the investigators, the day, month and location of the interview.⁷

5. The Single Judge notes regulation 35(2) of the Regulations of the Court, according to which, “the Chamber may extend or reduce a time limit if good cause is shown”.

6. Taking into consideration the time when the interviews of the witnesses in question were conducted, the volume of the transcripts and the reasons provided by the Prosecutor for her inability to comply with the original time limit, the Single Judge accepts that the Prosecutor has shown good cause for an extension of the time limit to submit her request for redactions. Furthermore, the Single Judge is of the view that the Defence will not be prejudiced by such variation of time limit given the limited extent of the request. Thus, the Single Judge considers that the requested extension of time can be granted.

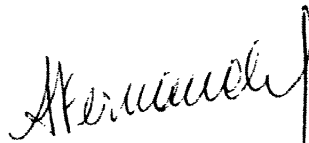
⁶ *Ibid.*, paras 2 and 4.

⁷ *Ibid.*, para. 6.

FOR THESE REASONS, THE SINGLE JUDGE

GRANTS the Prosecutor an extension of time until Monday, 29 July 2013 to submit her request for redactions to the transcripts of interviews of witnesses P-0321 and P-0324.

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



Judge Silvia Fernández de Gurmendi

Single Judge

Dated this 15 July 2013

At The Hague, The Netherlands