



Original: English

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

Date: 18 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
Urgent**

**Decision on Defence request to extend page limit pursuant to regulation 37(2)
of the Regulations of the Court**

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

Herman von Hebel

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 Defence’s *“Requête de la défense afin d’être autorisée à déposer une demande d’autorisation d’interjeter appel de la «Decision on the confirmation of charges against Laurent Gbagbo» (ICC-02/11-01/11-656-Conf) du 12 juin 2014 excédant le nombre de pages prévu à la Norme 37(2) du Règlement de la Cour”* (the “Request”).²

1. On 12 June 2014, the Chamber, by majority, issued its decision confirming the charges against Laurent Gbagbo (“Mr Gbagbo”).³
2. On 16 June 2014, the Chamber, upon request of the Defence, extended the time limit to file any request for leave to appeal the Confirmation Decision until five days following notification of the official French translation of the Confirmation Decision.⁴
3. On 18 July 2014, the official French translation of the Confirmation Decision and the appended dissenting opinion was notified.⁵
4. On 18 July 2014, the Defence filed the Request, asking the Chamber to authorise it to file a request for leave to appeal the Confirmation Decision

¹ “*Décision portant désignation d’un juge unique*”, 16 March 2012, ICC-02/11-01/11-61.

² ICC-02/11-01/11-672.

³ “Decision on the confirmation of charges against Laurent Gbagbo”, 12 June 2014, ICC-02/11-01/11-656-Conf (“Confirmation Decision”). A public redacted version is available (ICC-02/11-01/11-656-Red).

⁴ “Decision on the ‘*Requête urgente de la défense portant sur la détermination de la date à partir de laquelle courent les délais fixés pour qu’elle puisse déposer une éventuelle demande d’autorisation d’interjeter appel de la « Decision on the confirmation of charges against Laurent Gbagbo » (ICC-02/11-01/11-656-Conf) et/ou pour qu’elle puisse déposer une éventuelle réponse à une éventuelle demande d’autorisation d’interjeter appel déposée par le Procureur*”, 16 June 2014, ICC-02/11-01/11-658, p. 5.

⁵ ICC-02/11-01/11-656-Conf-tFRA and ICC-02/11-01/11-656-Anx-tFRA.

exceeding the ordinary page limit by thirty pages, thus bringing the total amount of pages to fifty, including footnotes.⁶ In support of the Request, the Defence refers to the importance of the Confirmation Decision,⁷ the complexity of the proceedings and of the Confirmation Decision, as well as its length,⁸ the significance of the request for leave to appeal the Confirmation Decision, including the nature and number of questions and arguments which the Defence intends to present in a request for leave to appeal,⁹ as well as the need to protect the rights of the Mr Gbagbo and the related role of the Chamber.¹⁰

5. The Single Judge notes article 82(1)(d) of the Rome Statute, rule 155(1) of the Rules of Procedure of Evidence and regulation 37 of the Regulations of the Court (the “Regulations”).

6. In light of the arguments presented by the Defence in its Request, and taking into account the complexity and the length of the pre-trial proceedings in the present case which ultimately led to the Confirmation Decision, the Single Judge is of the view that there exist exceptional circumstances within the meaning of regulation 37(2) of the Regulations. Therefore, the extension of page limit as requested by the Defence can be granted.

FOR THESE REASONS, THE SINGLE JUDGE

GRANTS the Defence up to 50 pages including footnotes for its request for leave to appeal the Confirmation Decision.

⁶ Request, p. 16.

⁷ *Ibid.*, paras 19-26.

⁸ *Ibid.*, paras 27-44.

⁹ *Ibid.*, paras 47-59.

¹⁰ *Ibid.*, paras 60-67.

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



Judge Silvia Fernández de Gurmendi

Single Judge

Dated this Friday, 18 July 2014

At The Hague, The Netherlands