



Original: English

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

Date: 29 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 "Prosecution Request for Extension of Page Limit"

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 “Prosecution Request for Extension of Page Limit” (the “Request”).²

1. On 12 June 2014, the Chamber, by majority, issued its decision confirming the charges against Laurent 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 On 18 July 2014, the official French translation of the Confirmation Decision and the appended dissenting opinion was notified.⁵

3. On 18 July 2014, the Single Judge, upon request of the Defence, extended the page limit for any request for leave to appeal the Confirmation Decision to 50 pages, including footnotes.⁶

4. On 21 July 2014, the Prosecutor filed the Request, requesting the Single Judge to authorise the filing of a response to any application for leave to

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

² ICC-02/11-01/11-674.

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.

⁶ “Decision on Defence request to extend page limit pursuant to regulation 37(2) of the Regulations of the Court”, 18 July 2014, ICC-02/11-01/11-673.

appeal the Confirmation Decision not exceeding 40 pages in length,⁷ arguing that this extension is modest in light of the significant extension granted to the Defence and that the same factors which militate in favour of granting an extension to the Defence justify an extension for the Prosecutor's response.⁸

5. On 29 July 2014, the Defence filed a request for leave to appeal the Confirmation Decision.⁹

6. The Single Judge notes article 82(1)(d) of the Rome Statute, rule 155(1) of the Rules of Procedure of Evidence and regulations 37 and 65 of the Regulations of the Court (the "Regulations").

7. The Single Judge notes that the Defence Request comprises 44 pages including footnotes.¹⁰ Given the length of the Defence Request and the number and nature of arguments to which the Prosecutor will have to respond, 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 Prosecutor can be granted.

FOR THESE REASONS, THE SINGLE JUDGE

GRANTS the Prosecutor up to 40 pages including footnotes for her response to the Defence request for leave to appeal the Confirmation Decision.

⁷ ICC-02/11-01/11-674, para. 5.

⁸ *Ibid.*, paras 3-4.

⁹ ICC-02/11-01/11-676-Conf (the "Defence Request").

¹⁰ ICC-02/11-01/11-676-Conf.

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

A handwritten signature in blue ink, appearing to read 'S. Fernández de Gurmendi', is written over a horizontal line.

Judge Silvia Fernández de Gurmendi

Single Judge

Dated this Tuesday, 29 July 2014

At The Hague, The Netherlands