

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: ICC-02/11-01/15
Date: 23 February 2017

TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

**SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE
IN THE CASE OF
*THE PROSECUTOR v. LAURENT GBAGBO and CHARLES BLÉ GOUDÉ***

Public

Decision on the 'Prosecution's request for an extension of the page limit for its consolidated application under rule 68'

Order to be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Ms Fatou Bensouda
Mr James Stewart
Mr Eric MacDonald

Counsel for Laurent Gbagbo

Mr Emmanuel Altit
Ms Agathe Bahi Baroan

Counsel for Mr Charles Blé Goudé

Mr Geert-Jan Alexander Knoops
Mr Claver N'dry

Legal Representatives of Victims

Ms Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Judge Cuno Tarfusser, acting as Single Judge on behalf of Trial Chamber I of the International Criminal Court, in the case of *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, having regard to regulation 37(1) and (2) of the Regulations of the Court, issues this decision on the 'Prosecution's request for an extension of the page limit for its consolidated application under rule 68' ('Prosecutor's Request').¹

1. On 22 February 2017, the Prosecutor requested an extension up to 35 pages of the page limit applicable to her forthcoming consolidated application under rule 68 of the Rules of Procedure and Evidence, in light (i) of the consolidated nature of the application, which will cover 'almost all crime base and chain of custody witnesses for the 3 March 2011, 17 March 2011 and 12 April 2011 incidents, plus 12 other witnesses' and (ii) of the fact that she intends to include in her application a request for submission of documentary evidence relating to two of those witnesses, pursuant to paragraph 43 of the Directions on the conduct of the proceedings. The Legal Representative of Victims responded by email on the same day, not objecting to the Request.

2. On 22 February 2017, the Defence for Mr Gbagbo responded, stating its objection to the fact that the extension of pages was requested not only because of the consolidated nature of the forthcoming application but also with a view to including in that application a request pursuant to paragraph 43 of the Directions.² On 23 February 2017, the Defence for Mr Blé Goudé responded by email, associating itself with the arguments of the Defence for Mr Gbagbo.

3. The Single Judge recalls that on 23 January 2017 the Chamber ordered the Prosecutor to submit a consolidated application under rule 68 for all her remaining witnesses.³ The consolidated nature of such application, considered in light of the information submitted by the Prosecutor as regards the number of her forthcoming

¹ ICC-02/11-01/15-821.

² ICC-02/11-01/15-824.

³ ICC-02/11-01/15-787.

witnesses,⁴ warrants *per se* the requested extension pursuant to regulation 37(2) of the Regulations of the Court.

4. It is only once the consolidated application will be submitted that the Chamber will be able to appreciate its contents. By the same token, at that stage the parties will have an opportunity to respond to the consolidated application and to make any and all submissions they consider necessary and appropriate, including as regards any introduction of documents which might be sought in that context. In particular, the parties will also be allowed to seek from the Chamber an extension of the time and page limits for their respective responses, in light of the actual content of the application.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

GRANTS the Prosecutor's Request.

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



Judge Cuno Tarfusser, Single Judge

Dated 23 February 2017
At The Hague, The Netherlands

⁴ ICC-02/11-01/15-788-Conf-AnxA.