

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/05

Date: 8 May 2008

**PRE-TRIAL CHAMBER III**

**Before:** Judge Fatoumata Dembele Diarra, Presiding Judge  
Judge Hans-Peter Kaul  
Judge Ekaterina Trendafilova

**SITUATION IN THE CENTRAL AFRICAN REPUBLIC**

**Under Seal  
Ex parte only available to the Prosecutor**

**Decision on the Prosecutor's "Notification to Pre-Trial Chamber III and Request  
for Extension of Page Limit and Expedited Consideration"**

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

**The Office of the Prosecutor**  
Mr Luis Moreno Ocampo, Prosecutor

**Counsel for the Defence**

**Legal Representatives of the Victims**

**Legal Representatives of the 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**

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**Registrar**  
Ms Silvana Arbia

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

1. Pre-Trial Chamber III (the “Chamber”) of the International Criminal Court (the “Court”) is seized of a “Notification to Pre-Trial Chamber III and Request for Extension of Page Limit and Expedited Consideration” (the “Request”) filed by the Prosecutor in the record of the situation on 2 May 2008<sup>1</sup>.
2. In the Request, the Prosecutor primarily seeks an extension of the page limit regarding an upcoming application to 70 pages pursuant to regulation 37(2) of the Regulations of the Court (RoC)<sup>2</sup>.
3. In the Request, the Prosecutor also informs the Chamber that he “will respectfully request that the application be considered on expedited basis”<sup>3</sup>.
4. The Chamber will first address the issue of expeditiousness and in this respect reiterates that expeditiousness is a major principle of the proceedings before the Court and that it is an inherent responsibility of all its organs<sup>4</sup>.
5. The Chamber notes that the Request for expedited consideration concerns in fact the upcoming application referred to in the Request.
6. With regard to the request for extension of page limit, the Prosecutor submits that the extension is necessary due to the importance of the issues to be dealt with and the necessity to present them clearly in the upcoming application, the need to set out in the application the relative merits of employing article 58 (1), the complex nature

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<sup>1</sup> ICC-01/05-10-US-Exp.

<sup>2</sup> ICC-01/05-10-US-Exp, para. 2.

<sup>3</sup> ICC-01/05-10-US-Exp, para. 3.

<sup>4</sup> See for example articles 17(2), 18(4), 18(5), 20(3)(b), 56(3)(b), 61(1) and (3), 64(2), 64(3)(a), 67(1)(c), 82(1)(d), 82(1)(d), 82(2) and 90(3) of the Rome Statute; rules 13(2), 16(2)(b), 26(2), 39, 52(2), 57, 58(2), 60, 84, 91(3)(b), 92(5), 101(1), 101(2), 129, 130, 132(2), 156(4) and 171(3) of the Rules of Procedures and Evidence.

of the facts with which the application is concerned, and the need for the Chamber to be provided with an adequate description of them, even though summarized, in order to enable the Chamber to make an informed decision<sup>5</sup>.

7. The Chamber notes that pursuant to regulations 37(2) and 38(2)(e) of the RoC "[t]he Chamber may, at the request of a participant, extend the page limit in exceptional circumstances", and that "[u]nless otherwise ordered by the Chamber, the page limit shall not exceed 50 pages for a request by any participant to the pre-Trial Chamber to (...) issue orders and warrants".

8. The Chamber finds that the reasons relied on by the Prosecutor in the Request, in their entirety, constitute exceptional circumstances within the meaning of the above-stated provisions.

#### **FOR THESE REASONS, THE CHAMBER DECIDES**

- a) Not to deal with the request for expedited consideration of the upcoming application as being without merits at this stage of the proceedings;
- b) To grant the Prosecutor an extension of page limit to seventy (70) pages.

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<sup>5</sup> ICC-01/05-10-US-Exp, para. 2.

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



Judge Fatoumata Dembele Diarra  
Presiding Judge



Judge Hans-Peter Kaul



Judge Ekaterina Trendafilova

Dated this 8th day of May 2008,

At The Hague, The Netherlands.