

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/11-01/15

Date: 27 March 2020

THE APPEALS CHAMBER

Before: Judge Chile Eboe-Osuji, Presiding Judge
Judge Howard Morrison
Judge Piotr Hofmański
Judge Luz del Carmen Ibáñez Carranza
Judge Solomy Balungi Bossa

SITUATION IN CÔTE D'IVOIRE

**IN THE CASE OF
*THE PROSECUTOR v. LAURENT GBAGBO AND CHARLES BLÉ GOUDÉ***

Public

CLRv Request for extension of page limit to file her submissions in the appeal

Source: Office of Public Counsel for Victims

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

The Office of the Prosecutor

Ms Fatou Bensouda

Ms Helen Brady

Counsel for Mr Laurent Gbagbo

Mr Emmanuel Altit

Ms Jennifer Naouri

Counsel for Mr Blé Goudé

Mr Geert-Jan Alexander Knoops

Mr Claver N'dry

Legal Representatives of the Victims

Ms Paolina Massidda

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. BACKGROUND

1. On 2 March 2020, the Appeals Chamber issued a Decision, following a request filed by Mr Gbagbo, extending the number of page limit from 100 to 130 for the Defence's Responses to the Prosecution's Appeal of the Judgement issued by Trial Chamber I on 15 January 2019 acquitting both Defendants (the "Prosecution's Appeal").¹

2. On 6 March 2020, the Defence for Mr Gbagbo² and the Defence for Mr Blé Goudé³ filed their respective responses⁴ to the Prosecution's Appeal (the "Defence's Responses").

II. SUBMISSIONS

3. In accordance with regulation 37(2) of the Regulations of the Court, a Chamber may grant an extension of page limit in exceptional circumstances.

4. The Common Legal Representative requests an extension up to a total of 75 pages (instead of 68 currently granted) for her submissions in the appeal to be filed by 8 April 2020.

5. The Common Legal Representative submits that – as already recognised by the Appeals Chamber in its Decision extending the page limit for the Defence' Responses - the present appeal raises novel and complex issues.⁵

¹ See the "Decision on Mr Laurent Gbagbo's request for an extension of page limit for his response to the Prosecutor's appeal brief" (Appeals Chamber), [No. ICC-02/11-01/15-1313 A](#), 2 March 2020 (the "Decision on extension of page limit").

² See the "Version publique expurgée de la « Réponse de la Défense de Laurent Gbagbo au « Mémoire d'appel de l'Accusation » (ICC-02/11-01/15-1277-Conf-tFRA) déposé le 15 octobre 2019", [No. ICC-02/11-01/15-1314-Red A](#), 13 March 2020.

³ See the "Public Redacted Version of "Defence Response to the 'Prosecution Document in Support of Appeal'", ICC-02/11-01/15-1315-Conf, 6 March 2020", [No. ICC-02/11-01/15-1315-Red A](#), 9 March 2020.

⁴ Confidential versions of the Defence's Responses were filed on 6 March 2020.

⁵ See the Decision on extension of page limit, *supra* note 1, para. 10.

6. In this regard, in the *Lubanga* case, the first one brought before the Court, also raising many novel and complex issues never addressed before an international criminal tribunal, the Appeals Chamber granted 100 pages to both Legal Representatives of victims' teams, although the number of victims authorized to participate at the time was lower than in the present case.⁶

7. The Common Legal Representative is cognisant that the Appeals Chamber already extended the page limit for her submissions of 8 pages in the same Decision granting an extension of page limit for the Defence. However, having read the Defence's Responses and having consulted with the victims, she submits that the arguments raised by both Defences have an important impact on the interests of the victims and require more extensive developments than expected to address the views and concerns of her clients. Therefore, she posits that a further limited extension of 7 pages is justified in the circumstances, particularly because, in accordance with the instruction of the Chamber, the filing of said submissions will constitute the only opportunity for the Common Legal Representative to address the interests of the victims she represents in the present appeal.

8. In the circumstances, the Common Legal Representative argues that exceptional circumstances are shown justifying the granting of the limited extension of page limit requested.

⁶ See the "Decision on the participation of victims in the appeals against Trial Chamber I's conviction and sentencing decisions" (Appeals Chamber), [No. ICC-01/04-01/06-2951 A4 A5 A6](#), 13 December 2012, pp.3-4.

FOR THE FOREGOING REASONS, the Common Legal Representative respectfully requests the Appeals Chamber to grant an extension of page limit up to a total of 75 pages for her submissions in the appeal.

A handwritten signature in black ink, reading "Paolina Massidda". The signature is written in a cursive style with a horizontal line underneath the name.

Paolina Massidda

Principal Counsel

Dated this 27th day of March 2020

At The Hague, The Netherlands