

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No. ICC-02/11-01/11

Date: 13 March 2015

TRIAL CHAMBER I

Before: Judge Geoffrey Henderson, Presiding Judge
Judge Cuno Tarfusser
Judge Olga Herrera-Carbuccia

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

**IN THE CASE OF
*THE PROSECUTOR v. LAURENT GBAGBO***

Public

Public Redacted version of "Registry submission pursuant to "Order reducing the time limit to file a response" (document ICC-02/11-01/11-704-Conf)

Source: The Registrar

Document 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 the Defence

Mr Emmanuel Altit

Ms Agathe Bahi Baroan

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

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Counsel Support Section

Victims and Witnesses Unit

Detention Section

Patrick Craig

**Victims Participation and Reparations
Section**

**Court Interpretation and Translation
Section**

The Registrar of the International Criminal Court (the “Court”);

NOTING the “*Requête urgente, fondée sur des circonstances humanitaires exceptionnelles, déposée afin que le Président Gbagbo soit autorisé à se recueillir devant la dépouille de sa mère et à assister à son enterrement*” (“the Defence Request”), submitted by the Defence on 21 October 2014 ;¹

NOTING the “*Order reducing the time limit to file a response*” (“the Order”) issued by the Trial Chamber I (“the Chamber”) on 22 October 2014;²

NOTING that on 23 October 2014 and pursuant to Regulation 51 of the Regulations of the Court, the Chamber instructed the Registry to “provide the relevant authorities of the Kingdom of the Netherlands and the Republic of Côte d’Ivoire with the confidential ‘*Requête urgente, fondée sur des circonstances humanitaires exceptionnelles, déposée afin que le Président Gbagbo soit autorisé à se recueillir devant la dépouille de sa mère et à assister à son enterrement*’ filed on 21 October 2014 (ICC-02/11-01/11-697-Conf). Through this same instruction, the Chamber invited the “relevant State authorities [above-mentioned] to provide their submissions on the Defence Request as soon as possible”;³

NOTING regulations 23*bis* and 51 of the Regulations of the Court,

CONSIDERING that in the Order, the Chamber instructed the Registry to file observations on the Defence request by 24 October 2014;⁴

¹ ICC-02/11-01/11-697-Conf.

² ICC-02/11-01/11-698-Conf.

³ E-mail from the Chambers’ Legal Officer to the Registry on 23 October 2014, at 13.21hrs.

⁴ ICC-02/11-01/11-698-Conf. at p. 4.

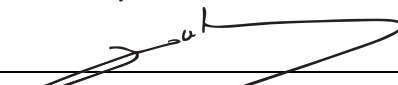
RESPECTFULLY SUBMITS AS FOLLOWS:**On the observations of the Registry to the Defence request**

1. From a purely technical and logistics perspective and in general, the Registry is always ready to liaise with the relevant States in any preparations for the transfer of detained persons for the purposes of, *inter alia*, provisional release.
2. In the specific case at hand, the Registry acknowledges the guarantees as specified by the Defence in the Defence Request at pages 11-13 thereof. In this regard, the Registry observes that it would be able to work under the framework of such conditions given that the authorities of Côte d'Ivoire in particular assist the Court on matters mainly related to the security of Mr. Gbagbo while on the territory of the Côte d'Ivoire and the safe transportation of Mr. Gbagbo to the requested locations. Without any specific support from the said authorities, the Registry would not be able to ensure the security and well-being of Mr. Gbagbo.
3. For further details on the potential travel and security arrangements that could be envisaged as well as details on the current situation in the area, the Registry respectfully draws the Chamber's attention to the security assessment included in Annex 1 to the present submission submitted on a confidential *ex-parte* basis taking into consideration that it provides information on sensitive security arrangements.

Response from the Host State and from the authorities of Côte d'Ivoire

4. On 24 October 2014, the Kingdom of the Netherlands confirmed that a) It is their understanding that [REDACTED]. The notification documentation including the response from the Host State is herein attached as Confidential Annex 2, in conformity with the regulation 23*bis* of the Regulations of the Court and as per diplomatic practice.
5. Likewise on 24 October 2014, the authorities of Côte d'Ivoire expressed that [REDACTED]. The notification of the documents including the response from the State of Côte d'Ivoire is herein attached as Confidential Annex 3, in conformity with regulation 23*bis* of the Regulations of the Court.

RESPECTFULLY SUBMITTED,



Marc Dubuisson, Director of Court Services
per delegation of
Herman von Hebel, Registrar

Dated this 13 March 2015

At The Hague, Netherlands