



Original: **English**

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

Date: **23 May 2012**

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernández de Gurmendi, Presiding Judge
Judge Hans-Peter Kaul
Judge Christine Van den Wyngaert

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF THE PROSECUTOR v. LAURENT GBAGBO

Public

**Prosecution's observations for the purposes of establishing a schedule for the
confirmation hearing**

Source: Office of the Prosecutor

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

The Office of the Prosecutor

Counsel for the Defence

Mr Emmanuel Altit

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Prosecution hereby submits its observations as ordered in the Decision requesting observations from the parties on the schedule of the confirmation of charges hearing.¹

Observations

2. The Prosecution does not intend to make any observations concerning issues related to the proper conduct of the proceedings prior to the confirmation hearing.
3. The Prosecution estimates that it will need a minimum of six and a half hours (including its opening statement) to concentrate its presentation, as instructed by the Chamber, *"on the most representative items of evidence"* to support its arguments.²
4. The Prosecution's presentation will address amongst its main topics, the widespread and systematic nature of the charges, the organisational policy, the common plan, the structure of the organisation, the authority of the accused and his criminal responsibility. The Prosecution will also discuss the evidence of the four incidents at the centre of the charges brought against the Accused. For this purpose, a limited number of video evidence and maps will be relied upon. A PowerPoint presentation may also be used to illustrate the presentation on the widespread and systematic nature of the charges.
5. The Prosecution's estimate is based on the caveat of not having any prior knowledge of the defence's intention to call witnesses to testify, including their identity and the evidence they may provide³ or to submit a List of Evidence.⁴
6. If the Defence notifies the Chamber that it intends to present evidence and/or witnesses, the length of the Prosecution's presentation may have to be adjusted to take into consideration the defence anticipated evidentiary presentation. If

¹ ICC-02/11-01/11-107.

² ICC-02/11-01/11-107, para. 12.

³ ICC-02/11-01/11-115, p. 6.

⁴ ICC-02/11-01/11-107, para. 12. Such List of Evidence is to be filed by 1 June 2012.

that were to be the case, the Prosecution will inform the Chamber without undue delay of the revised time estimate of its presentation.

A handwritten signature in blue ink, appearing to read 'Luis Moreno-Ocampo', is positioned above a horizontal line.

Luis Moreno-Ocampo, Prosecutor

Dated this 23rd day of May 2012

At The Hague, The Netherlands