

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/11-02/11
Date: 09 February 2015

TRIAL CHAMBER I

Before: Judge Geoffrey Henderson, Presiding Judge
Judge Cuno Tarfusser
Judge Olga Herrera CarbuccionTitle

SITUATION IN COTE D'IVOIRE

**IN THE CASE OF
*THE PROSECUTOR v. CHARLES BLE GOUDE***

**Public Document
With 2 Public Annexes**

DEFENCE EXHIBIT FOR THE STATUS CONFERENCE OF 13 FEBRUARY 2015

Source: Defence of Mr Charles Blé Goudé

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

Counsel for the Defence

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**

**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**

Other

1. STATEMENT OF FACTS

2. On 21 December 2011, Pre-Trial Chamber I issued a warrant of arrest under seal for Mr Charles Blé Goudé.¹ Mr Blé Goudé was surrendered to the custody of the Court on 22 March 2014, and made his first appearance on 27 March 2014.
3. On 19 August 2014, Mr Claver N'Dry was appointed as Legal Assistant to the Defence of Mr Blé Goudé. On 25 August 2014, the Registry sent the login details for the access to all eCourt applications for Mr N'Dry to the former case manager only.² However, these details were never passed to Mr. N'Dry by the former case manager.
4. On 8 September 2014, Mr Geert-Jan Alexander Knoops was appointed as *pro bono* Assistant Counsel for Mr. Blé Goudé to deal only with a specific matter of law. On 16 September 2014, the Registry sent the login details for Mr Knoops to access to all eCourt applications to the former case manager.³ However, these details were not transmitted to Mr. Knoops by the former case manager.
5. From 29 September 2014 until 2 October 2014, the confirmation of charges hearing was held before the Pre-Trial Chamber.⁴ During this hearing, Mr. Knoops only commented on a specific matter of law and stated that he was not in a position to talk about the facts of the case.⁵
6. On 11 December 2014, the Pre-Trial Chamber confirmed the charges against Mr Blé Goudé.⁶
7. On 16 December 2014, the Prosecution filed, in the case against Mr Gbagbo, its Joinder Request.⁷ On 22 December 2014, the Prosecution filed its Joinder Request in the case against Mr Blé Goudé.⁸

¹ ICC-02/11-02/11-1.

² ICC-02/11-02/11-208 para 6-7.

³ Ibid.

⁴ ICC-02/11-02/11-T-5-Red-ENG; ICC-02/11-02/11-T-6-Red-ENG; ICC-02/11-02/11-T-7-Red-ENG; ICC-02/11-02/11-T-8-Red-ENG.

⁵ ICC-02/11-02/11-T-6-CONF-ENG ET p.35 ln. 11-15.

⁶ ICC-02/11-02/11-186.

⁷ ICC-02/11-01/11-738.

⁸ ICC-02/11-02/11-194

8. On 19 December 2014 Mr. Blé Goudé informed the Registry that he wished to change counsel and to have Mr. Knoops appointed as counsel and Mr. N'Dry Claver as co-counsel. On 22 December 2014, Mr. Knoops informed the Registry that he was willing to accept the appointment, but stressed the following before accepting formally:
 - a. “As you may know, I was only appointed at the 8th of September 2014 as ‘assistant-counsel pro bono’. In this capacity I had no access to any materials or documents pertaining to this case on the ICC system nor the system itself. To this date, the only document which was provided to me by the previous counsel was the DCC.
 - b. Hence, Mr N'dry Claver and I can only accept the appointment presupposed that a new defence team is allocated with ample time to prepare the defence case.”⁹
9. On 7 January 2015, Mr. Knoops was officially appointed as lead counsel in the case of Mr. Blé Goudé.
10. On 23 January 2015, the Chamber issued an order scheduling a status conference and setting a provisional agenda, instructing the parties and participants to file their observations on the issues mentioned in the provisional agenda and to inform the Chamber of any items they wish to be added to it by 2 February 2015.¹⁰
11. On 26 January 2015, the Defence of Mr. Blé Goudé requested for an extension of time to respond to the joinder request, as well as to have the adequate time and facilities to prepare for trial.¹¹
12. On 29 January 2015 the defence requested for adjournment of the status conference citing inability to comment on the matters on the agenda.¹² In the alternative the defence requested that the matters expressed in ICC-02/11-02/11-201, in relation to time to prepare for trial, should be included on the agenda for the status conference.¹³

⁹ Email to CSS 22 December 2014.

¹⁰ ICC-02/11-02/11-200.

¹¹ ICC-02/11-02/11-201.

¹² ICC-02/11-02/11-204.

¹³ Ibid.

13. On 4 February 2015 the registry filed the Information on appointment of defence team members and provision of technical assistance.¹⁴

14. On 5 February 2015 the single judge denied the defence request for adjournment of the status conference.¹⁵

2. SUBMISSIONS

15. In anticipation of the Status Conference, the Defence files the following exhibits which are public:

- Annex 1 – Table of ICC cases summarizing the period of time between the decision on confirmation of charges and the beginning of the trial;
- Annex 2 – Tableau récapitulatif des délais entre la première conférence de mise en état et le début du procès.

¹⁴ ICC-02/11-02/11-208.

¹⁵ Email from Chamber to parties on 5 February 2015 at 17.33.

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A handwritten signature in dark ink, appearing to read 'H. Knoop', is centered within a rectangular box. The signature is written in a cursive style with a long horizontal flourish extending to the right.

Mr Knoop, Lead Counsel

Dated this 9 February 2015

At The Hague, The Netherlands