

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: English

No.: ICC-02/11-02/11
Date: 29 January 2015

TRIAL CHAMBER I

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

SITUATION IN SITUATION IN CÔTE D'IVOIRE

**IN THE CASE OF
*THE PROSECUTOR v. CHARLES BLÉ GOUDÉ***

Public Document

Defence Submissions on "Order scheduling a status conference and setting a provisional agenda"

Source: Defence for Mr. 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

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

I. Introduction

The Defence for Charles Blé Goudé herewith makes its submissions regarding the provisional agenda for the status conference pursuant to Trial Chamber I's "Order scheduling a status conference and setting a provisional agenda,"¹ dated 23 January 2015. Primarily, the Defence seeks an adjournment of the status conference date until the pressing issues raised, in its motion ICC-02/11-02/11-201 of 26 January 2015, have been addressed by the Chamber. The Defence respectfully submits that at the moment, it is not able to comment on the substance of the items on the provisional agenda due to its need for adequate time to become acquainted with the case. In the event, the Chamber decides not to grant the adjournment of the status conference, then the Defence kindly requests that the issues raised in the motion ICC-02/11-02/11-201 be added to the list of items on the agenda.

II. Submissions

1. On 26 January 2015, the Defence filed "Urgent Defence submissions on the need to have adequate time and facilities to prepare for trial and an extension of time to respond to the joinder request."² In this motion, the Defence put forth the following three reasons for its urgent need to be allocated time to familiarize itself with the case. First, the new defence team presently consists only of Lead Counsel and Co-Counsel, who are new appointees.³ As of the date of the present Order, Mr. Knoops had only been representing Mr. Blé Goudé for a mere two weeks and Mr. N'Dry for less.⁴ The Counsel is in the process of recruiting new team members under the direction of Mr. Blé Goudé.⁵ Second, the existing members have not undergone the full training to competently use Ringtail and TRIM, which they need in order to access case materials and file motions respectively.⁶ Third, in light of the joinder request, the Defence is bound to analyse not only the voluminous and

¹ *The Prosecutor v. Charles Blé Goudé*, 23 January 2015, ICC-02/11-02/11-200 [hereinafter Order].

² *The Prosecutor v. Charles Blé Goudé*, "Urgent Defence submissions on the need to have adequate time and facilities to prepare for trial and on a request for an extension of time to respond to the joinder request, 26 January 2015, ICC-02/11-02/11- 201.

³ See ICC-02/11-02/11-201, para. 13.

⁴ Ibid.

⁵ Ibid, para. 26

⁶ See ICC-02/11-02/11-201, para. 26.

complex case against Mr. Blé Goudé, but also the equally dense case against Mr. Gbagbo who was brought to the seat of the Court almost four years ago.⁷

2. The Defence reiterates the requests made in motion ICC-02/11-02/11-201, which substantiated the urgent need for the Defence to have adequate time to prepare for trial and the request for additional time to reply to the Prosecution's request to join the cases.⁸
3. Furthermore, the Defence refers to the confidential letter addressed to the Registry seeking the allocation of additional resources for the appointment of two additional case managers and two additional legal assistants.⁹ The Defence justifies its request by referring to the huge workload mentioned above and the need to prepare for trial and states that the expansion of the defence team is necessary even if the request for more time to prepare for trial is granted.¹⁰
4. The Defence respectfully submits that without the effective resolution of the issues raised in motion ICC-02/11-02/11-201, and the mentioned request to the registry, the Defence is incapacitated in terms of time and resources, to prepare for trial and to address any of the items on the provisional agenda of the scheduled status conference.
5. In the alternative, if the Chamber decides not to grant an adjournment of the status conference currently scheduled for 13 February 2015, the Defence respectfully requests that the issues raised in ICC-02/11-02/11-201 be added to the list of items on the agenda. The Defence cannot make any submissions regarding the other items on the agenda for the same reasons it requests an adjournment of the status conference. It respectfully submits that it has neither the time nor the facilities to effectively comment on items listed in paragraph 6 of the present Order.¹¹ This includes item 6(g) relating to Mr. Blé Goudé's detention. The new defence team began meeting with Mr. Blé Goudé last week, and the team did address one private issue arising from Mr. Blé Goudé's detention to the Registry. The Defence respectfully asks for more time to address some other issues arising from the detention of Mr. Blé Goudé.

⁷ Ibid, para. 29.

⁸ Ibid, para 47 (a) and (b).

⁹ Urgent Confidential Request for additional resources for the Defence of Mr. Charles Blé Goudé pursuant to Regulation 83(3) The Prosecutor v. Charles Blé Goudé, 26 January 2015.

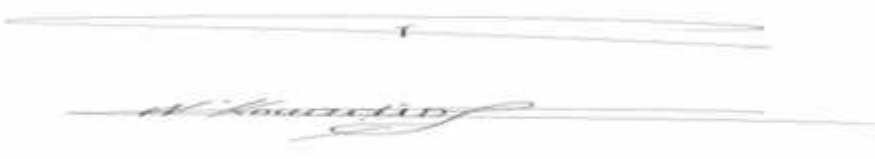
¹⁰ Ibid.

¹¹ ICC-02/11-02/11-200

RELIEF SOUGHT

For the foregoing reasons, the defence respectfully requests the honourable Chamber to grant the following requests:

- 1) To adjourn the status conference date set for 13 February 2015 until the urgent issues raised by the defence in motion ICC-02/11-02/11-201 and defence request to the registry concerning additional resources have been resolved.
- 2) In the alternative, to add to the provisional agenda of the status conference *The Prosecutor v. Charles Blé Goudé*, “Urgent Defence submissions on the need to have adequate time and facilities to prepare for trial and on a request for an extension of time to respond to the joinder request, 26 January 2015, ICC-02/11-02/11- 201.



Geert-Jan Alexander Knoops and Claver N'dry
Counsels for Charles Blé Goudé

Dated this 29 January 2015
At The Hague, Netherlands.