



Original: **English**

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

Date: **12 May 2014**

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernández de Gurmendi, Single Judge

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF THE PROSECUTOR v. CHARLES BLÉ GOUDÉ

PUBLIC

Prosecution's Response to Defence request ICC-02/11-02/11-69

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

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Counsel for the Defence

Mr Nicholas Kaufman

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

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Mr Herman von Hebel

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 12 May 2014, the Defence filed a “request for a ruling on OPCV request ICC-02/11-02/11-62-Anx1” (“Request”).¹ At paragraph 5 of its Request, the Defence purports to interpret and assign meaning to the fact that the Prosecution did not file a response to submission ICC-02/11-02/11-62-Anx1 and urges the Chamber to adopt this interpretation.
2. The Chamber should ignore paragraph 5 of the Defence request because it is a submission made without any evidentiary or logical foundation. In fact, the purported Defence interpretation of the fact that the Prosecution did not file a response to ICC-02/11-02/11-62-Anx1 is not correct.
3. The only interpretation or meaning that can logically be attributed to the absence of a response from the Prosecution to any particular document filed with the Chamber is that the Prosecution has exercised its discretion, pursuant to Regulation 24 (1) of the Regulations of the Court, to not file a response.



Fatou Bensouda, Prosecutor

Dated this 12th day of May 2014

At The Hague, The Netherlands

¹ ICC-02/11-02/11-69.