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

Date: **11/05/2014**

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernández de Gurmendi, Single Judge

**SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE
*THE PROSECUTOR v. CHARLES BLE GOUDE***

Public

Defence request for a ruling on OPCV request ICC-02/11-02/11-62-Anx1

Source: The Defence for Charles Blé Goudé

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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Legal Representatives of the Victims

Legal Representative/s of the Applicant/s

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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REGISTRY

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Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations Other
Section**

In the absence of a timely Prosecution response, the Defence for Charles Blé Goudé ("the Suspect") hereby requests that the Single Judge rule on the *Requête aux fins d'admission dans l'affaire Le Procureur c. Charles Blé Goudé des victims qui participent aux procédures dans l'affaire Le Procureur c. Laurent Gbagbo*¹ filed by the Office of the Public Counsel for Victims ("OPCV") on 16 April 2014.

1. On 16 April 2014, Pre-Trial Chamber I was notified of OPCV's request that 139 victims in the case against Laurent Gbagbo be granted the right to participate in all aspects of the case against the Suspect ("the First OPCV Request").

2. On 5 May 2014, the Suspect responded to the First OPCV Request and petitioned for it to be rejected on the basis that it is i) defective for lack of sufficient supporting information, ii) burdensome iii) not timely and iv) superfluous since, on the Prosecutor and (even) OPCV's own admission, the cases are almost identical and judicial note may be taken of the same victims' concerns as articulated by OPCV in the case against Laurent Gbagbo.²

3. Regulation 34(b) of the Regulations of the Court stipulates that "*a response ... shall be filed within 21 days of notification ... of the document to which the participant is responding*".

4. 17 April 2014 was not an official holiday and the Single Judge did not suspend time limits over the Easter recess pursuant to Regulation 19bis(2) of the Regulations of the Court. The Prosecutor should thus have filed her response to the First OPCV Request by 16:00 on 8 May 2014. No such response was notified. Nor was a request for a variation of time limits filed.

5. In the circumstances, the Prosecutor should be understood as acquiescing in the Suspect's views as set out in paragraph 2 above and as sharing the Suspect's desire that the case proceed to confirmation on 18 August 2014 on an expedited basis.

6. The Single Judge is requested to endorse this view and to issue a decision forthwith.



Nicholas Kaufman
Counsel for Charles Blé Goudé

Jerusalem, Israel
May 11, 2014

¹ ICC-02/11-02/11-62-AnxI.

² ICC-02/11-02/11-66.