

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: *English*

No: *ICC-02/11-01/15*

Date: 28 July 2015

TRIAL CHAMBER I

Before:

**Judge Geoffrey Henderson, Presiding Judge
Judge Olga Herrera-Carbuccia
Judge Bertram Schmitt**

SITUATION IN COTE D'IVOIRE

**IN THE CASE OF
*THE PROSECUTOR v. LAURENT GBAGBO AND CHARLES BLE GOUDE***

Public

Defence Response to the “Second request to maintain redactions to the identifying and contact information of the intermediaries mentioned in the applications of dual status individuals” (ICC-02/11-01/15-126)

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

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**Unrepresented Applicants
(Participation/Reparation)**

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Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I. Introduction

1. The Defence of Charles Blé Goudé (“the Defence”) respectfully presents to Trial Chamber I (“the Chamber”) its response to the Common Legal Representative’s (“CLR”) “Second request to maintain redactions to the identifying and contact information of the intermediaries mentioned in the applications of dual status individuals” pursuant to the Rome Statute (“the Statute”) and the Rules of Procedure and Evidence (“the R.P.E.”).

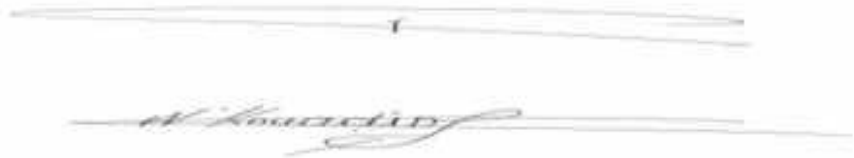
II. Submissions

2. The Defence recalls and reiterates its submissions made in response to the CLR’s first “Request to maintain redactions to the identifying and contact information of intermediaries mentioned in the applications of dual status individuals”(ICC-02/11-01/15-85). The Defence submits that the same arguments apply in the instant case.
3. Additionally, the Defence observes that the CLR makes an unsubstantiated conclusion, namely that in the context of the approaching elections, disclosure of the intermediaries’ identifying and contact information increases the risk of endangering the lives of such intermediaries. The CLR does not demonstrate how disclosing this information to the Defence in the context of elections would actually incur a security risk. Similarly, the CLR endorses the Registry’s Observations, in which the Registry submits that due to the deeply polarized Ivoirian society and the perception that the Court is biased, a disclosure of such information to the Defence would subject intermediaries to an objective security risk. However, the Defence respectfully recalls that it is under an obligation not to disclose such information under the Code of Professional Conduct for Counsel. Therefore, such information, if disclosed to the Defence would not create an objective risk to the intermediaries, since the

public would not be made privy to such information.

III. Relief Requested

1. For the foregoing reasons, the Defence requests the honourable Chamber to:
 - reject the CLRV's request;
 - require the Prosecution to lift any redactions concerning the intermediaries who assisted the dual status witness, consistent with the Redaction Protocol



A rectangular box containing a handwritten signature in dark ink. The signature is cursive and appears to read 'Mr. Knoops'.

Mr. Knoops, Lead Counsel and Mr. N'Dry, Co-Counsel

Dated this
28 July 2015
At The Hague, the Netherlands