

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/11-01/15
Date: 16 November 2015

TRIAL CHAMBER I

Before: Judge Geoffrey Henderson, Presiding Judge
Judge Olga Herrera Carbuca
Judge Bertram Schmitt

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

**IN THE CASE OF
THE PROSECUTOR *v.* LAURENT GBAGBO and CHARLES BLÉ GOUDÉ**

PUBLIC

**With Annex I and Annexes A-D confidential *ex parte* Registry only;
Annex II confidential *ex parte* Registry and Blé Goudé Defence;
Annex III confidential *ex parte* Registry and Blé Goudé Defence;
Annex IV confidential *ex parte* Registry and Gbagbo Defence;
Annex V confidential *ex parte* Registry and Legal Representative of the Victims;
Annex VI confidential *ex parte* Registry and Prosecution**

Registry Observations on Defence “Soumissions concernant les visites sur les sites” and “Prosecution’s submissions concerning a site visit”

Source: Registry

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 Eric McDonald

Counsel for Mr Laurent Gbagbo

Mr Emmanuel Altit

Ms Agathe Bahi Baroan

Counsel for Mr Charles Blé Goudé

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

Introduction

1. The Gbagbo Defence submitted its “Version publique expurgée des « Soumissions concernant les visites sur les sites »”¹ (“Defence Submission”) on 1 October 2015, and on 5 October 2015 the Prosecution submitted the “Prosecution’s submissions concerning a site visit”.²
2. On 7 October 2015, Trial Chamber I (“Chamber”) ordered³ the Registry to provide submissions on the above-mentioned submissions of the parties by 16 November 2015 (“Observations”).
3. Following a request from the Registry during the *inter partes* consultations that took place on 20 October 2015 in accordance with the Chamber’s instruction⁴, the Defence, Prosecution and the Legal Representative of the Victims (“LRV”) submitted their respective proposals concerning the site visit to the Registry on 30 October 2015 (collectively “Site Visit Proposals”).⁵

Classification

4. As *per* regulation 23bis of the Regulations of the Court, the Observations are classified confidential *ex parte* only available to the Registry in view of the security considerations set out therein, the confidential *ex parte* information from prior cases mentioned therein, and in order to avoid raising the expectations of the affected communities before a decision is taken by the Chamber on whether a site visit will be conducted.

¹ ICC-02/11-01/15-255-Red.

² ICC-02/11-01/15-268.

³ Email from Trial Chamber I Communications sent on 7 October 2015 at 16:31.

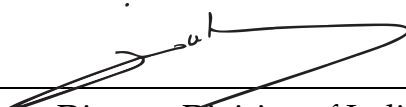
⁴ Emails from Trial Chamber I Communications sent on 13 October 2015 at 12:28 and at 13:52.

⁵ “Proposition Préliminaire de Sites à Visiter” (“Defence Locations”); “Proposition d’Itinéraire Pour la Visite” (“Defence Itinerary”); “Liste des sites qu’il est crucial de visiter à Abidjan avant le début du procès, organisée selon des itinéraires rationnellement établis” (“Defence Justifications”); “Proposition préliminaire du Représentant légal des victimes des sites à visiter durant la visite judiciaire des lieux” (“LRV Proposal”); “Proposition préliminaire du Procureur des sites à visiter durant la visite des lieux judiciaire” (“Prosecution Locations”).

5. The Site Visit Proposals are classified confidential *ex parte* Registry and relevant party or participant only, as they contain information which may divulge the relevant party's or participant's legal strategy in presenting its respective case.

The Registry hereby transmits:

6. Annex I, confidential *ex parte* Registry only: The Observations with the following annexes:
 - Annex A – Map of the Neighbourhoods of Abidjan;
 - Annex B – Time constraints in Abidjan;
 - Annex C – Timeline for the preparation of a possible site visit;
 - Annex D - Estimated Costs;
7. Annex II, confidential *ex parte* Registry and Blé Goudé Defence : Defence Locations;
8. Annex III, confidential *ex parte* Registry and Blé Goudé Defence: Defence Itinerary;
9. Annex IV, confidential *ex parte* Registry and Gbagbo Defence : Defence Justifications;
10. Annex V, confidential *ex parte* Registry and LRV: LRV Proposal; and
11. Annex VI, confidential *ex parte* Registry and Prosecution: Prosecution Locations.



 Marc Dubuisson, Director, Division of Judicial Services
 on behalf of
 Herman von Hebel, Registrar

Dated this 16 November 2015

At The Hague, the Netherlands