

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/11-01/15
Date: 3 February 2016

TRIAL CHAMBER I

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

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

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

Public

with Annex 1 confidential, ex parte only available to the Registry and the Defence

Public Redacted version of "Updated Information on Mr Gbagbo's Health Related Needs Pursuant to The Chamber's Order of 6 May 2015", ICC-02/11-01/15-84-Conf-Exp dated 28 May 2015

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 James Stewart

Mr Eric MacDonald

Counsel for Mr Laurent Gbagbo

Emmanuel Altit

Agathe Bahi Baroan

Legal Representatives of the Victims

Ms Paolina Massida

Counsel for Mr Charles Blé Goudé

Mr Geert-Jan Alexander Knoops

Mr Claver N'dry

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

Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

Patrick Craig

**Victims Participation and Reparations
Section**

Other

The Registrar of the International Criminal Court (the “Court”);

NOTING the Single Judge’s “Order convening an *ex parte* status conference on 16 June 2015”;¹

NOTING regulations 24*bis*, 90 and 103 of the Regulations of the Court;

CONSIDERING that the Single Judge ordered that the Registry provides an *ex parte* Registry and Defence only report with “an updated information on Mr Gbagbo’s health-related needs and on the advancement of arrangements made to meet them” and that such a report be notified to the Prosecution in a redacted version;

SUBMITS the following:

A- Information regarding Mr Gbagbo’s health-related needs and advancement of arrangements thereof

1. The Registry wishes to recall the nine joint Registry and Defence reports and particularly the last three of those reports which refer to arrangements sought to address the medical health of Mr Gbagbo. It is noted that in those reports reference was made to the fact that, during the confirmation stage, appearance of Mr Gbagbo in Court was possible under certain conditions.² Following the recommendations made by medical experts, the reports highlighted the need

¹ ICC-02/11-01/15-57

² See ICC-02/11-01/11-734-Conf-Exp, par. 1.

to provide Mr Gbagbo with treatment [REDACTED] for a certain period.³ In this respect, the Registry would like to recall that [REDACTED] with [REDACTED]⁴. The Registry reports that no further arrangements have been made [REDACTED] following the joint Registry and Defence ninth report to the Chamber⁵.

2. As regards the treatment provided to Mr Gbagbo at the Detention Centre, there are two types of reports which can be provided by the Detention Centre Medical Officer: [REDACTED].

B- Modalities for the facilitation of Laurent Gbagbo's attendance at trial

3. The modalities of the attendance at trial of Mr Gbagbo, considering his particular circumstances, are linked to recommendations or medical advice. Without prejudice to the Chamber's decision as to the presence or not of Mr Gbagbo at the hearings, arrangements could be made in relation to the practical modalities of Mr Gbagbo's attendance at trial. The following three options could therefore be envisaged:

³ ICC-02/11-01/11-681-Conf-Exp-Anx4.2, p. 14.

⁴ ICC-02/11-01/11-734-Conf-Exp-Anx9, ICC-02/11-01/15-23-Conf-Exp-Anx2. See also ICC-02/11-01/15-23-Conf-Exp, par. 9 and 14.

⁵ ICC-02/11-01/15-23-Conf-Exp

a. Physical Attendance

4. Mr Gbagbo's physical attendance at trial can be arranged in line with any recommendations made by the Medical Officer and [REDACTED].⁶ These recommendations may be similar to those implemented at the confirmation hearing or vary according to the circumstances of Mr Gbagbo. [REDACTED]⁷ indicating that [REDACTED].

b. Remote attendance from the Detention Centre

5. [REDACTED], should there be impediments for Mr Gbagbo's physical appearance at Court, there is a possibility to ensure his participation remotely via video-link from the Detention Centre. In such circumstance, a privileged telephone line could be accommodated for him and his Defence team and a Registry Court Officer will have to be present at the Detention Centre at key moments for the proceedings.

c. [REDACTED]

6. [REDACTED].

⁶ ICC-02/11-01/11-668-Conf-Exp and ICC-02/11-01/11-681-Conf-Exp-Anx4.1

⁷ Annex 1 confidential *ex parte* Registry and Defence only.

7. The Registry wishes to reiterate that the above is an overview of its practical assessment on arrangements that could be made and remains available to provide any further clarification the Chamber may deem necessary.



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

Dated this 3 February 2016

At The Hague, The Netherlands