

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **15 April 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 Confidential Annex A**

**Public redacted version of "Prosecution's application for Witness [REDACTED] to
give testimony by means of video technology", 15 April 2016, ICC-02/11-01/15-486-
Conf**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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Other

Introduction

1. The Prosecution hereby requests for the testimony of Witness [REDACTED] to be heard by means of video technology from [REDACTED].¹ Witness [REDACTED] is not feasible or conducive to his physical and psychological wellbeing.

Confidentiality

2. The Prosecution files this submission as confidential pursuant to regulation 23bis(2) of the Regulations of the Court (“Regulations”), as it contains information related to the identity and health of a Prosecution Witness. A public redacted version will be concurrently filed. [REDACTED].

Applicable Law

3. The Prosecution includes by reference the applicable law as detailed in its previous application for testimony *via* video means.²

Submissions

4. Witness [REDACTED] is one of the first 20 witnesses to testify in this case as announced in the Prosecution’s filing of 15 October 2015.³ He is likely to testify [REDACTED].
5. [REDACTED].

¹ Pursuant to article 69(2) of the Rome Statute (“Statute”) and rule 67(1) of the Rules of Procedure and Evidence (“Rules”).

² ICC-02/11-01/15-0367-Conf.

³ ICC-02/11-01/15-294.

6. [REDACTED].
7. [REDACTED].
8. As explained in the Prosecution's previous application,⁴ the Court Management Section ("CMS") of the Registry is able to establish a video link from [REDACTED] to The Hague to allow [REDACTED] to give his testimony. CMS staff would be present at the chosen venue to assist the Witness as necessary. Facilities at the venue would be such that the Witness could i) see and hear the person addressing him in the courtroom; ii) view any documents shown to him by the Chamber, Parties or participants; and iii) mark any documents / diagrams as necessary.
9. Such arrangements would be conducive to [REDACTED] giving testimony. [REDACTED] would protect his physical and psychological wellbeing and dignity by allowing him to give his testimony in the most comfortable environment possible [REDACTED]. It would also allow the Chamber, in hearing the Witness' testimony, to fulfil its truth-seeking function.
10. Furthermore, such arrangements would not be prejudicial to or inconsistent with the rights of the Accused. [REDACTED].

⁴ [REDACTED].

Conclusion

11. For the foregoing reasons, the Prosecution requests that the Chamber allows [REDACTED].



Fatou Bensouda, Prosecutor

Dated this 15th day of April 2016

At The Hague, The Netherlands