

**Cour
Pénale
Internationale**

**International
Criminal
Court**



Original: **English**

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

Date: **19 July 2016**

TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

**SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE
IN THE CASE OF
*THE PROSECUTOR v. LAURENT GBAGBO and CHARLES BLÉ GOUDÉ***

Public

Order on the reclassification and filing of public redacted versions of documents

Decision to be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

The Office of the Prosecutor

Fatou Bensouda
James Stewart
Eric MacDonald

Counsel for Mr Laurent Gbagbo

Emmanuel Altit
Agathe Bahi Baroan

Counsel for Mr Charles Blé Goudé

Geert-Jan Alexander Knoops
Claver N'dry

Legal Representatives of Victims

Paolina Massidda

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
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

Nigel Verrill

Detention Section

**Victims Participation and Reparations
Section**

Others

Judge Cuno Tarfusser, Single Judge exercising the functions of Trial Chamber I of the International Criminal Court in the case of *The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé*, having regard to articles 64(6)(c) and (e) and 68(1) of the Rome Statute (“Statute”) and regulation 23 *bis* (3) of the Regulations of the Court, issues this “Order on the reclassification and filing of public redacted versions of documents”.

1. On 15 January 2013, Pre-Trial Chamber I issued a decision in the case of *The Prosecutor v. Laurent Gbagbo* on a request by the Defence for disclosure under article 67(2) of the Statute and rule 77 of the Rules of Procedure and Evidence (“Rules”).¹ A second decision following up on the same subject-matter was issued on 22 January 2013.²
2. On 24 June 2016, the Prosecutor filed the “Prosecution’s request to issue public redacted version of confidential decision of 15 January 2013 (ICC-02/11-01/11-351-Conf)” (ICC-02/11-01/15-600-Conf and -Conf-AnxA), in which she requests the Chamber to issue a public redacted version of said decision, arguing that the approach taken in that decision may have assumed new significance for the interpretation of the Statute and the Rules. The Prosecutor also submits that in case the request is granted, it should be reclassified as “public”, with the exception of the annex which is to be kept confidential.
3. Neither the Defence of Laurent Gbagbo or Charles Blé Goudé, nor the legal representative of victims filed any responses to the Prosecutor’s request.

¹ “Decision on the ‘Requête aux fins de divulgation de documents et d’éléments indispensables à la préparation de la défense, en vertu des articles 17, 54(1)(a), 57(3)(b), 67(1)(b) et 67(2) du Statut et des règles 77 et 84 du Règlement du Procédure et de Preuve’”, ICC-02/11-01/11-351-Conf.

² “Second decision on the ‘Requête aux fins de divulgation de documents et d’éléments indispensables à la préparation de la défense, en vertu des articles 17, 54(1)(a), 57(3)(b), 67(1)(b) et 67(2) du Statut et des règles 77 et 84 du Règlement du Procédure et de Preuve’”, ICC-02/11-01/11-371-Conf.

4. On 19 July 2016, the Chamber filed public redacted versions of the two decisions of Pre-Trial Chamber I mentioned in paragraph 1 above.
5. Further, for sake of completeness of the public record, the Single Judge considers it opportune to also order the parties to file public redacted versions, as appropriate, of the filings related to these decisions.

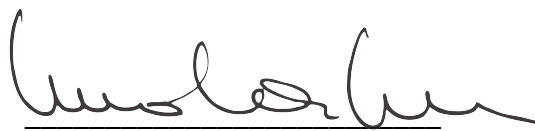
FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

ORDERS the Registrar to reclassify as “public” document ICC-02/11-01/15-600-Conf;

ORDERS the Defence of Laurent Gbagbo to file a public redacted version, as appropriate, of document ICC-02/11-01/11-316-Conf; and

ORDERS the Prosecutor to file public redacted versions, as appropriate, of documents ICC-02/11-01/11-335-Conf and ICC-02/11-01/11-365-Conf-Exp.

Done in both English and French, the English version being authoritative.



Judge Cuno Tarfusser
Single Judge

Dated this 19 July 2016

At The Hague, The Netherlands