

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 10 November

2016

TRIAL CHAMBER I

Before:

**Judge Cuno Tarfusser, Presiding Judge
Judge Olga Herrera-Carbuccia
Judge Geoffrey Henderson**

SITUATION IN COTE D'IVOIRE

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

Confidential

**Blé Goudé Defence Response to « Requête de la Défense en report de la venue du
témoin P-0483 » ICC-02/11-01/15-747-Conf**

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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Ms. Paolina Massidda

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Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

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Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

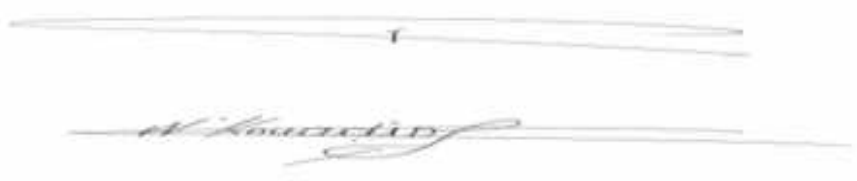
Other

1. On 09 November 2016 the Defence for Mr Laurent Gbagbo (Gbagbo Defence) filed submissions requesting for the postponement of the testimony of p-0483 until the defence has had the opportunity to analyse official translations of the witness' written statement.¹ The Defence for Mr Charles Blé Goudé (the Defence) associates itself with these submissions for the following reasons as expounded on by the Gbagbo Defence:
 - a) The translator used by the Prosecution during the interviewing process was not qualified in making translations from Liberian English to Standard English, and vice versa.
 - b) The investigators ceased to make use of the services of the interpreters early in the interview process and continued with the interview despite the fact that none of them spoke or understood Liberian English.
 - c) The Defence noticed that the translator was called upon from time to time to explain (not translate) the words used by the witness giving the translator the opportunity to substitute his words for those of the witness.
2. The result of this was that the translations provided were not an accurate reflection of the statement given by the witness.
3. In order for the Defence to prepare for cross examination it needs access to translations that accurately reflect the statements of the witness. The fact that the Prosecution only sent courtesy copies of "English translations of the original interview of witness P-0483 which were prepared and used as

¹ ICC-02/11-01/15-747-Conf

working documents to prepare the French translations" yesterday, 9 November 2016, is not sufficient to repair the prejudice to be suffered by the Defence. This is firstly because the copies are merely the "working documents" of the Prosecution and not official translations, and secondly because they were not disclosed to the Defence on time.

4. For these reasons, the Defence associates itself fully with the request made by the Gbagbo Defence in filing number ICC-02/11-01/15-747-Conf.
5. This filing is classified as confidential because it responds to a confidential request. The Defence would not be opposed to making it public if the Chamber so deems fit.

A handwritten signature in dark ink, appearing to read 'Mr. Knoops', is written over a horizontal line. The signature is fluid and cursive.

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

Dated this 10 November 2016

At The Hague, the Netherlands