

1 International Criminal Court
2 Trial Chamber I
3 Situation: Republic of Côte d'Ivoire
4 In the case of The Prosecutor v. Laurent Gbagbo and Charles Blé Goudé
5 ICC-02/11-01/15
6 Presiding Judge Cuno Tarfusser, Judge Olga Herrera-Carbuccia and
7 Judge Geoffrey Henderson
8 Trial Hearing - Courtroom 1
9 Tuesday, 30 August 2016
10 (The hearing starts in open session at 9.43 a.m.)
11 THE COURT USHER: [9:43:17] All rise. The International Criminal Court is now
12 in session.
13 Please be seated.
14 PRESIDING JUDGE TARFUSSER: [9:43:43] Good morning. Good morning to
15 everyone inside the Court and the public gallery and welcome back after the recess.
16 I think, according to exchange of emails we received, we had yesterday, that before
17 starting, well before starting with the next witness, we have to discuss some issues
18 related to this witness. And I think it is preferable to go into private session in order
19 to discuss these issues, otherwise there is no way back, so I would ask the court
20 officer to call the closed session.
21 And for the public, I would say that we are going into closed session and we will
22 remain into closed session until a decision will be publicly announced on the basis of
23 what we discuss here in private session and then we'll see how we continue.
24 Please, court officer.
25 (Private session at 9.45 a.m.)

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6 (Recess taken at 10.09 a.m.)

7 (Upon resuming in private session at 10.36 a.m.)

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12 (Open session at 10.37 a.m.)

13 THE COURT OFFICER: [10:37:15] (Interpretation) We are in open session, your
14 Honour.

15 PRESIDING JUDGE TARFUSSER: [10:37:38] Thank you very much.

16 Here is the decision of the Chamber on the issues which were discussed in private
17 session.

18 The Chamber, having heard the parties, participants and the VWU on issues related
19 to the next witness to be questioned, decides as follows: It orders the VWU to
20 submit to the Chamber by email no later than 13 hours today a comprehensive
21 assessment of the security situation and the recommendation as to the need for
22 protective measures for the next witness, involving obviously also Mr von Bóné in the
23 whole assessment.

24 Two, any case-specific objections to the granting of the protective measures by the
25 Defence teams shall be submitted by email also no later than 13 hours today.

1 Having regard to the matters raised by the Prosecutor in private session, having
2 regard to the matters -- of the observations by the VWU also raised in private session
3 and of the lack of objection by the parties and participants, the start of the testimony
4 of the next witness is postponed until tomorrow, 31 August at 9.30. Therefore, the
5 hearing is postponed to tomorrow, 9.30, with the next witness.

6 And of course the Chamber will decide on the security issues before we start the
7 questioning of the witness.

8 MR KNOOPS: [10:39:50] Mr President, may I just raise one short issue? You have
9 requested the parties to submit before 1 o'clock any case-related objections, but there
10 is no formal application made by the attorney of the witness or the witness himself.
11 So what, what can the Defence possibly submit to the Chamber before 1 o'clock
12 without having any concrete information?

13 PRESIDING JUDGE TARFUSSER: [10:40:22] Probably nothing. Obviously, that's
14 the problem.

15 MR KNOOPS: [10:40:29] Well.

16 PRESIDING JUDGE TARFUSSER: [10:40:30] If you have concrete information,
17 submit it, otherwise you don't submit it.

18 MR KNOOPS: [10:40:37] But you have ordered VWU before 1 o'clock to provide
19 the Chamber with assessments.

20 PRESIDING JUDGE TARFUSSER: [10:40:42] Yes.

21 MR KNOOPS: [10:40:43] And the Defence is probably not privy to that
22 information.

23 PRESIDING JUDGE TARFUSSER: [10:40:46] That's right.

24 MR KNOOPS: [10:40:46] So in all honesty how can the Defence possibly submit
25 any objections, your Honour? Can the Court clarify what the Court expects from the

- 1 Defence without having any formal application before it?
- 2 PRESIDING JUDGE TARFUSSER: [10:41:00] The Court expects from the Defence
- 3 that if they have any case-related objections to raise, that it is raised. That's it.
- 4 Thank you very much.
- 5 MR KNOOPS: [10:41:08] Thank you.
- 6 THE COURT USHER: [10:41:09] All rise.
- 7 (The hearing ends in open session at 10.41 a.m.)