

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/11-01/12
Date: 28 February 2014

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernández de Gurmendi, Single Judge

**SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE
IN THE CASE OF *THE PROSECUTOR* v. *SIMONE GBAGBO***

Public

Decision on the withdrawal of counsel Ciré Clédor Ly from the case

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

Counsel for the Defence

Sylvia Geraghty

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Paolina Massidda

**The Office of Public Counsel for the
Defence**

States Representatives

Jean-Pierre Mignard

Jean-Paul Benoit

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Ciré Clédor Ly

Judge Silvia Fernández de Gurmendi, Single Judge for Pre-Trial Chamber I (the “Chamber”) of the International Criminal Court (the “Court”), responsible for carrying out the functions of the Chamber in relation to the situation in the Republic of Côte d’Ivoire and the cases emanating therefrom,¹ issues the following decision on the *“Requête au fins d’être autorise à se retirer d’une affaire sur le fondement : 1. Des articles 21 ; 67-1(d) du Statut de Rome 2. De la Norme 78-1 du Règlement de la Cour 3. Des articles 18-3 ; 27 du Code de Conduit Professionnelle des Conseils 4. De l’article 14-3(d) du Pacte International Relatif au Droit Civils et Politiques”* (the “Request”), filed by Ciré Clédor Ly on 17 February 2014.²

1. On 1 November 2013, the Registrar filed in the record of the case a power of attorney, dated 30 July 2011, signed by Simone Gbagbo in favour of Clédor Ciré Ly to represent her in the proceedings before the Court.³

2. On 25 November 2013, Simone Gbagbo personally executed the *“Annulation mandate CPI de Maître Ciré Clédor Ly”*, which was filed in the record of the case in February 2014.⁴ On the same day, Simone Gbagbo issued a power of attorney appointing Sylvia Geraghty as her lead counsel in the proceedings before the Court.

3. On 22 January 2014, Simone Gbagbo issued the *“Confirmation de Mandat Special”*, whereby she confirmed her power of attorney in favour of Sylvia Geraghty, the appointment of two legal assistants, and the discharge of Ciré Clédor Ly from her defence team.⁵

4. As a result of these developments, on 17 February 2014, Ciré Clédor Ly, who in the meantime had been registered as co-counsel for Simone Gbagbo,

¹ ICC-02/11-01/12-5.

² ICC-02/11-01/12-31.

³ ICC-02/11-01/12-14-Conf-Exp-AnxI.

⁴ ICC-02/11-01/12-31-Conf-Anx1, p. 4, and ICC-02/11-01/12-36-Conf-AnxIV

⁵ ICC-02/11-01/12-31-Conf-Anx1, p. 5.

filed the Request, whereby he requests the Chamber to authorise him to withdraw from the present case.

5. The Single Judge notes article 67(1)(d) of the Rome Statute, regulation 78(1) of the Regulations of the Court, and article 18(3) of the Code of Professional Conduct for counsel.

6. The Single Judge notes that, as recalled above, it is Simone Gbagbo's expressed wish to discharge Ciré Clédor Ly and to differently compose her own defence. Indeed, Simone Gbagbo executed a power of attorney in favour of Sylvia Geraghty to act as her lead counsel and designated two legal assistants as part of her defence team, confirming that as of 22 January 2014 "*Maître Ciré Clédor Ly ne fait plus partie de mon équipe de défense devant la Cour Penale Internationale*".⁶ In these circumstances, the Single Judge sees no obstacle to Ciré Clédor Ly withdrawing from the present case in accordance with Simone Gbagbo's own wish.

FOR THESE REASONS, THE SINGLE JUDGE

AUTHORIZES Ciré Clédor Ly to withdraw from the case of *The Prosecutor v. Simone Gbagbo*.

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



Judge Silvia Fernández de Gurmendi
Single Judge

Dated this 28 February 2014

At The Hague, The Netherlands

⁶ ICC-02/11-01/12-31-Conf-Anx1, p. 5.