

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/11-01/11
Date: 27 November 2014

TRIAL CHAMBER I

Before: Judge Geoffrey Henderson, Single Judge

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

Public

Scheduling order and agenda for the status conference on 4 December 2014

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

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Eric MacDonald

Counsel for Laurent Gbagbo

Mr Emmanuel Altit

Ms Agathe Bahi Baroan

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Others

Judge Geoffrey Henderson, acting as Single Judge on behalf of Trial Chamber I ('Single Judge') of the International Criminal Court, in the case of *The Prosecutor v. Laurent Gbagbo*, having regard to Article 64(3) of the Rome Statute ('Statute'), Rule 132(2) of the Rules of Procedure and Evidence ('Rules') and Regulation 54 of the Regulations of the Court, issues the following 'Scheduling order and agenda for the status conference on 4 December 2014'.

1. On 4 November 2014, Trial Chamber I held its first status conference.¹ On that occasion the Chamber encouraged the parties and participants to enter into active discussions on the protocols to be used at trial and, in order to reach a certain degree of uniformity at the trial level, to use the protocols used in the *Kenya* cases as a starting point.²
2. On 17 November 2014, the Chamber set the commencement date for the trial for 7 July 2015. It directed the Prosecution to provide full disclosure of all material to the Defence, pursuant to Article 67(2) of the Statute and Rules 76 and 77 of the Rules, no later than 6 February 2015. By the same date, the Prosecution was directed to provide to the Defence its list of witnesses and list of evidence to be relied on at trial, and to disclose the reports of any expert witnesses to be called by the Prosecution. The Chamber finally stated that further directions on trial-related preparation will be provided by the Single Judge in due course.³

¹ Transcript of hearing on 4 November 2014, ICC-02/11-01/11-T-25-CONF-ENG CT ('First Status Conference').

² First Status Conference, ICC-02/11-01/11-T-25-CONF-ENG CT, page. 26, lines 3-16.

³ Order setting the commencement date for the trial and the time limit for disclosure, 17 November 2014, ICC-02/11-01/11-723, paras 10-11.

3. In order to facilitate the preparation of the parties and of the Legal Representative of victims, the Single Judge issues the following agenda for the status conference:

- a) Update on the status of disclosure, pursuant to Rules 76 and 77 of the Rules as well as to Article 67(2) of the Statute (including the possibility of requests for delayed disclosure);
- b) Views of the parties and participants, and update on any on-going discussions, on the following protocols:
 - (i) Protocols concerning the disclosure of the identity of witnesses of the other party and the handling of confidential information in the course of investigation;⁴
 - (ii) Unified protocol on the practices used to prepare and familiarise witnesses for giving testimony;⁵
 - (iii) Protocol on the vulnerability assessment and support procedure used to facilitate the testimony of vulnerable witnesses;⁶ and
 - (iv) Proposed mechanism for exchange of information on individuals with dual status.⁷
- c) Any other items.

4. Should the parties or the Legal Representative of victims wish to raise any particular issues under agenda item c), they are requested to inform the Single Judge, and if appropriate the other parties and participants, thereof by

⁴ *Protocole régissant la divulgation de l'identité des témoins de la partie adverse et Protocole régissant l'utilisation de matériel confidentiel par les parties pendant les enquêtes*, 6 March 2012, ICC-02/11-01/11-49-Anx.

⁵ Unified Protocol on the practices used to prepare and familiarise witnesses for giving testimony, 16 April 2012, ICC-02/11-01/11-93-Anx1.

⁶ Protocol on the vulnerability assessment and support procedure used to facilitate the testimony of vulnerable witnesses, 16 April 2012, ICC-02/11-01/11-93-Anx2.

⁷ See Registry's Observations on the "Order scheduling a status conference and setting a provisional agenda" (ICC-02/11-01/11-692), 27 October 2014, ICC-02/11-01/11-705, para. 6; *See also*, First Status Conference, ICC-02/11-01/11-T-25-CONF-ENG-CT, page 25, lines 18-21.

Monday 1 December 2014, at 16.00, by way of e-mail to 'Trial Chamber I Gbagbo Communications'.

FOR THE FOREGOING REASONS, THE SINGLE JUDGE

SCHEDULES a status conference on 4 December 2014, at 9.30;

SETS the agenda for the status conference, as provided in paragraph 3; and

INSTRUCTS the Registry to file the Proposed mechanism for exchange of information on individuals with dual status by Friday 28 November 2014.

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



Judge Geoffrey Henderson

Single Judge

Dated 27 November 2014

At The Hague, The Netherlands