

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-02/11-01/11  
Date: 10 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. LAURENT GBAGBO***

**Public**

**Decision suspending the time limit for the Defence submission of its observations on the Prosecutor's evidence and disclosure to the Prosecutor of the evidence it intends to present, if any, and filing of its amended list of evidence**

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

**The Office of the Prosecutor**

Fatou Bensouda, Prosecutor  
James Stewart, Deputy Prosecutor

**Counsel for the Defence**

Emmanuel Altit  
Agathe Bahi Baroan

**Legal Representatives of the Victims**

**Legal Representatives of the 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**

**Amicus Curiae**

**REGISTRY**

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**Registrar**

Herman von Hebel

**Defence Support Section**

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Other**

**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,<sup>1</sup> hereby issues this decision suspending the time limit for the Defence submission of its observations on the Prosecutor’s evidence and disclosure to the Prosecutor of the evidence it intends to present, if any, and filing of its amended list of evidence.

1. On 3 June 2013, the Chamber issued, by majority, Judge Silvia Fernández de Gurmendi dissenting, the “Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute”.<sup>2</sup> In this decision, the Chamber decided to adjourn the confirmation of charges hearing, requested the Prosecutor to consider providing further evidence or conducting further investigation with respect to all charges, and established a calendar for further proceedings.<sup>3</sup> In particular, the Chamber, *inter alia*, ordered the Defence to “submit its observations on the Prosecutor’s evidence and to disclose to the Prosecutor the evidence it intends to present, if any, and to file its amended list of evidence by no later than Monday, 16 December 2013”.<sup>4</sup> This time limit was subsequently extended and set at 13 February 2014.<sup>5</sup>

2. The Single Judge notes that, after the Prosecutor’s presentation of her amended document containing the charges on 13 January 2014, the Defence

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<sup>1</sup> “Décision portant désignation d’un juge unique”, 16 March 2012, ICC-02/11-01/11-61.

<sup>2</sup> ICC-02/11-01/11-432.

<sup>3</sup> *Ibid.*, pp. 22-24.

<sup>4</sup> *Ibid.*, p. 24.

<sup>5</sup> Pre-Trial Chamber I, “establishing a calendar for further proceedings”, 17 December 2013, ICC-02/11-01/11-576, p. 6.

has seized the Chamber with a number of requests.<sup>6</sup> Responses from the Prosecutor<sup>7</sup> and the legal representative of victims<sup>8</sup> to some of these requests advanced by the Defence have been filed between Wednesday, 5 and Friday, 7 February 2014. Responses to the remaining requests are due today, Monday 10 February 2014.

3. In these circumstances, and considering that all these Defence requests revolve around the unfolding of the present confirmation proceedings, the Single Judge considers it appropriate to suspend the time limit for the Defence presentation of its list of evidence and observations on the Prosecutor's evidence, currently set at Thursday, 13 February 2014, in order to allow proper disposal of all pending Defence requests. A decision addressing the different Defence requests and determining further steps in the confirmation proceedings will be issued shortly by the full Chamber.

#### **FOR THESE REASONS, THE SINGLE JUDGE**

**SUSPENDS** the time limit set out for the Defence to submit its observations on the Prosecutor's evidence and to disclose to the Prosecutor the evidence it intends to present, if any, and to file its amended list of evidence.


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<sup>6</sup> ICC-02/11-01/11-598-Conf-Corr (public redacted version filed as ICC-02/11-01/11-598-Corr-Red); ICC-02/11-01/11-599; ICC-02/11-01/11-600-Conf; ICC-02/11-01/11-602-Conf (public redacted version filed as ICC-02/11-01/11-602-Red); ICC-02/11-01/11-603; ICC-02/11-01/11-607.

<sup>7</sup> ICC-02/11-01/11-606; ICC-02/11-01/11-612; ICC-02/11-01/11-613.

<sup>8</sup> ICC-02/11-01/11-609; ICC-02/11-01/11-610; ICC-02/11-01/11-611-Conf.

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



**Judge Silvia Fernández de Gurmendi**

**Single Judge**

Dated this Monday, 10 February 2014

At The Hague, The Netherlands