

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-02/11-01/11
Date: 20 January 2015

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

**Order requesting the parties and participants' observations under Article 60(3) of
the Statute**

Order 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 (respectively, ‘Single Judge’ and ‘Chamber’) of the International Criminal Court (‘Court’), in the case of *The Prosecutor v. Laurent Gbagbo*, having regard to Articles 58(1), 60(3), 61(11) and 64(6)(a) of the Rome Statute and Rule 118(2) of the Rules of Procedure and Evidence (‘Rules’), issues the following ‘Order requesting the parties and participants’ observations under Article 60(3) of the Statute’.

1. On 13 July 2012,¹ 12 November 2012,² 12 March 2013,³ 11 July 2013,⁴ 11 November 2013,⁵ 12 March 2014,⁶ 11 July 2014,⁷ Laurent Gbagbo (‘Mr Gbagbo’) had his detention reviewed by Pre-Trial Chamber I. On each occasion, Pre-Trial Chamber I’s Single Judge decided that Mr Gbagbo shall continue to be detained.
2. On 11 November 2014, this Chamber reviewed Mr Gbagbo’s detention and decided that he shall continue to be detained.⁸ The Chamber further decided to defer its decision on the conditional release of Mr Gbagbo.

¹ Decision on the “Requête de la Défense demandant la mise en liberté provisoire du président Gbagbo”, 13 July 2012, ICC-02/11-01/11-180-Conf (public redacted version at ICC-02/11-01/11-180-Red), upheld by the Appeals Chamber, Judgment on the appeal of Mr Laurent Koudou Gbagbo against the decision of Pre-Trial Chamber I of 13 July 2012 entitled “Decision on the ‘Requête de la Défense demandant la mise en liberté provisoire du président Gbagbo’”, 26 October 2012, ICC-02/11-01/11-278-Conf (public redacted version at ICC-02/11-01/11-278-Red).

² Decision on the review of Laurent Gbagbo’s detention pursuant to article 60(3) of the Rome Statute, 12 November 2012, ICC-02/11-01/11-291.

³ Second decision on the review of Laurent Gbagbo’s detention pursuant to article 60(3) of the Rome Statute, 12 March 2013, ICC-02/11-01/11-417-Conf.

⁴ Third decision on the review of Laurent Gbagbo’s detention pursuant to article 60(3) of the Rome Statute, 11 July 2013, ICC-02/11-01/11-454, upheld by the Appeals Chamber, Judgment on the appeal of Mr Laurent Gbagbo against the decision of Pre-Trial Chamber I of 11 July 2013, entitled “Third decision on the review of Laurent Gbagbo’s detention pursuant to article 60(3) of the Rome Statute”, 29 October 2013, ICC-02/11-01/11-548-Conf and annexes (public redacted version at ICC-02/11-01/11-548-Red).

⁵ Fourth decision on the review of Laurent Gbagbo’s detention pursuant to article 60(3) of the Rome Statute, 11 November 2013, ICC-02/11-01/11-558.

⁶ Fifth decision on the review of Laurent Gbagbo’s detention pursuant to article 60(3) of the Rome Statute, 12 March 2014, ICC-02/11-01/11-633.

⁷ Sixth decision on the review of Laurent Gbagbo’s detention pursuant to article 60(3) of the Rome Statute, 11 July 2014, ICC-02/11-01/11-668.

⁸ Seventh decision on the review of Mr Laurent Gbagbo’s detention pursuant to Article 60(3) of the Statute, 11 November 2014, ICC-02/11-01/11-718-Conf (public redacted version at ICC-02/11-01/11-718-Red).

3. The Single Judge recalls that, pursuant to Article 60(3) of the Statute and Rule 118(2) of the Rules, Mr Gbagbo's pre-trial detention shall be reviewed at least every 120 days. In this regard, the Single Judge notes that, on 12 March 2015, Mr Gbagbo will have been detained for 120 days since the last decision on the review of his detention on 11 November 2014.


FOR THE FOREGOING REASONS, THE SINGLE JUDGE HEREBY

ORDERS the defence team for Mr Gbagbo ('Defence') to submit, should it wish to do so, observations on the existence of any changed circumstances pursuant to Article 60(3) of the Statute by the filing deadline on 5 February 2015;

ORDERS the Office of the Prosecutor ('Prosecution') and the Legal Representative of Victims ('LRV') to file their observations on the existence of any changed circumstances pursuant to Article 60(3) of the Statute, if any, by the filing deadline on 12 February 2015; and

ORDERS the Defence to file its response, if any, by the filing deadline on 19 February 2015.

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

A handwritten signature in black ink, reading "G. Henderson", with a long horizontal line extending to the right from the end of the signature.

Judge Geoffrey Henderson, Single Judge

Dated 20 January 2015

At The Hague, The Netherlands