

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-02/11-01/15**

Date: **29 March 2018**

TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Geoffrey Henderson

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF

THE PROSECUTOR v. LAURENT GBAGBO AND CHARLES BLÉ GOUDÉ

Public

**Legal Representative's Information to the Chamber following the filing of the
Prosecution's Trial Brief (ICC-02/11-01/15-1136)**

Source: Office of Public Counsel for Victims

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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Ms Paolina Massidda

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Unrepresented Victims

Unrepresented

Applicants(Participation/Reparation)

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**Victims Participation and Reparations
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Other

I. Background

1. On 9 February 2018, the Chamber issued the “Order on the further conduct of the proceedings” (the “Order”),¹ inviting, *inter alia*, the Prosecution to file a trial brief illustrating its case and detailing the evidence in support of the charges (the “Trial Brief”), and ordering the Defence to respond to said brief indicating “(i) which aspects of the Prosecutor’s case they do not contest, (ii) which aspects they intend to challenge by way of presenting additional evidence; and (iii) whether they intend to submit evidence in relation to facts and circumstances that have hitherto not been the discussed during the trial”.²

2. On 16 February 2018, the Legal Representative filed a submission in relation to the Order, conveying the concerns of the victims about the delay in the proceedings and the fact that the Order did not expressly envisage the provision of their views on the Trial Brief, although the submission of said document affects their personal interests.³

3. On 19 March 2018, the Prosecution filed its Trial Brief.⁴

II. Submissions

4. The Legal Representative has taken note of the Trial Brief filed by the Prosecution on 19 March 2018.

5. In her previous submissions, the Legal Representative reserved her right to address the Chamber in order to preserve and defend the interests of the victims she

¹ See the “Order on the further conduct of the proceedings” (Trial Chamber I), No. ICC-02/11-01/15-1124, 9 February 2018 (the “Order”).

² *Idem*, paras. 10 and 14.

³ See the “Views and concerns of victims in relation to the “Order on the further conduct of the proceedings” (ICC-02/11-01/15-1124)”, No. ICC-02/11-01/15-1131, 16 February 2018.

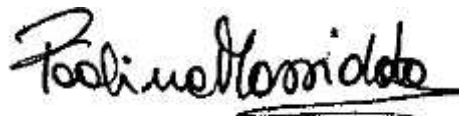
⁴ See the “Prosecution’s Mid-Trial Brief submitted pursuant to Chamber’s Order on the further conduct of the proceedings (ICC-02/11-01/15-1124)”, No. ICC-02/11-01/15-1136, 19 March 2018 (the “Trial Brief”).

represents once the Trial Brief was filed by the Prosecution.⁵ While the Legal Representative still regrets that the Order did not expressly take into account the right of victims to file a response to the Trial Brief, she wishes to inform the Chamber that, having reviewed the document, she does not intend, at this stage of the proceedings, to request leave to file submissions in relation to said Brief.

6. Indeed, the Legal Representative considers that, at this stage of the proceedings, the Trial Brief adequately covers the issues relevant to the interests of the victims participating in the case.

7. Therefore, the Legal Representative considers that because her eventual request to submit observations on the Trial Brief may trigger an application by the Defence to respond to her submissions, it is not in the interests of her clients to follow said course of events which may delay once more the proceedings.

Respectfully submitted.



Paolina Massidda
Principal Counsel

Dated this 29th day of March of 2018

At The Hague, The Netherlands

⁵ See the "Views and concerns of victims in relation to the "Order on the further conduct of the proceedings" (ICC-02/11-01/15-1124)", *supra* note 3, paras. 22-26.