

SITUATION EN CÔTE D'IVOIRE
AFFAIRE
LE PROCUREUR c. LAURENT GBAGBO et
CHARLES BLÉ GOUDÉ

Annexe 1
Confidentiel

« Single Judge Decision on confidential filings no. 1102 and 1111 » rendue le 21 juin 2018.

From: Trial Chamber I Communications <TrialChamberICommunications@icc-cpi.int>
Sent: 21 June 2018 15:50
To: Trial Chamber I Communications; Macdonald, Eric; Altit, Emmanuel; Knoops, Geert-Jan; Massidda, Paolina; Trial Chamber I Legal Team
Cc: Naouri, Jennifer; Jacobs, Dov; Pascale Langlais; Swiderski, Emeline; Eleonore Coeuret; Marguet, Elsa; Carrin, Marion; Dyk, Antonina; Vandeler, Lauriane; Sara Pedroso; Pack, Melissa; Demirdjian, Alexis; Mandavia, Neera; Garcia, Lucio; Carnero Rojo, Enrique; Vetrucchio, Ludovica; Sako, Brahim; Tchidimbo, Patrick; Lariviere, Alexis; Dahuron, Charlotte; Pineau, Carine
Subject: Single Judge Decision on confidential filings no. 1102 and 1111

Dear Counsel,

The Single Judge has taken note of the “Réponse de la Défense à la « Registry Transmission of the Declarations made by Twelve Witnesses pursuant to rule 68(2)(b) of the Rules of Procedure and Evidence » (ICC-02/11-01/15-1090-Conf)” submitted by the Defence for Mr Gbagbo on 11 January 2018 (confidential filing no. 1102) and of the Prosecutor’s response thereto dated 26 January 2018 (confidential filing no. 1111).

The Single Judge notes that, in spite of its title and as pointed out by the Prosecutor, Mr Gbagbo’s “response” amounts to a request to consider as inadmissible the witnesses’ declarations transmitted by the Registry with confidential filing no. 1090.

The Single Judge recalls the Chamber’s “Decision on the submission and admission of evidence” dated 29 January 2016 (filing no. 405), deferring decisions on the admissibility and relevance of the evidence submitted to the final judgment, “except when an intermediate ruling is required under the Statute or otherwise appropriate”.

Having considered the nature and content of the objections raised by the Defence for Mr Gbagbo in its request, the Single Judge takes the view that a ruling at this stage is neither required under the Statute nor otherwise appropriate under the circumstances. Both the adequacy of the system adopted by the Registry in ascertaining the identity of the witnesses and any issue of reliability or credibility which might arise in connection with corrections made to the statements will be duly assessed in accordance with Decision no. 405.

Accordingly, the Single Judge decides (i) that there is no reason to depart from the system adopted by the Chamber in its Decision no. 405 and (ii) that the declarations and attestations transmitted by the Registry with confidential filing no. 1090 are recognised as submitted.

Thank you and kind regards.

Federica Gioia, on behalf of the Single Judge