



Original: English

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

Date: 1 April 2015

TRIAL CHAMBER I

Before: Judge Geoffrey Henderson, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Bertram Schmitt

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF

THE PROSECUTOR

v. LAURENT GBAGBO and CHARLES BLÉ GOUDÉ

PUBLIC

**With confidential Annexes A, B, C, D and E available to the Defence and
Legal Representatives**

**Prosecution's Communication of Evidence Disclosed to the Defence on
31 March 2015**

Source: Office of the Prosecutor

Document 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 Mr Laurent Gbagbo

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Counsel for Mr Charles Blé Goudé

Mr Geert-Jan Alexander Knoops

Ms Claver N'dry

Legal Representatives of the Victims

Ms Paolina Massidda

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(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

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Office of the Prosecutor (“Prosecution” or “OTP”) provides notice of the disclosure of incriminating evidence, and of material pursuant to rule 77 of the Rules of Procedure and Evidence (“Rules”), by way of three disclosure packages under joint case file number ICC-02/11-01/15:
 - a. Pre-trial INCRIM Package 2, containing 54 items, to the Gbagbo Defence and to the Blé Goudé Defence;¹
 - b. Pre-trial INCRIM Package 3, containing 4 items, to the Blé Goudé Defence only.² These items are disclosed in lesser redacted form, and have already been disclosed to the Gbagbo Defence in this form; and
 - c. Pre-trial Rule 77 Package 3, containing 4 items, to the Gbagbo Defence and to the Blé Goudé Defence.³
2. The disclosed material was provided in a format that complies with the eCourt protocol as approved at the Pre-Trial stage.⁴
3. As to the Accused Laurent Gbagbo, 21 items disclosed as incriminating and 4 items disclosed pursuant to rule 77 of the Rules were disclosed with redactions to their image and/or metadata, in accordance with decision ICC-02/11-01/11-737 and its Annex (“Redaction Protocol”). Some of these redactions are to the names of investigators continuing to conduct investigations in respect of the co-Accused Charles Blé Goudé, falling under Category A.4. of the Redaction Protocol and in accordance with the Single Judge’s decision of 25 February 2015.⁵

¹ 20150331 INCRIM Package 2. This package includes the transcribed statements of Witnesses P-0520, P-0524 and P-0544, which the Prosecution undertook to disclose by the end of March 2015: *see* ICC-02/11-01/11-760, para.13.

² 20150331 INCRIM Package 3.

³ 20150331 Rule 77 Package 3. This package includes the transcribed statement of Witness P-0545, which the Prosecution undertook to disclose by the end of March 2015: *see* ICC-02/11-01/11-760, para.13.

⁴ ICC-02/11-01/11-30-AnxI.

⁵ ICC-02/11-01/11-782, para.17.

4. As to the Accused Charles Blé Goudé, the redactions applied to the disclosed items are in accordance with the protocol adopted in the *Gbagbo* case.⁶
5. The disclosed material was provided in a format that complies with the e-Court protocol as approved at the Pre-Trial stage.

Request for Confidentiality

6. Annexes A⁷, B,⁸ C,⁹ D,¹⁰ and E¹¹ appended to this communication contain the disclosure notes provided to the Defence. The Prosecution requests that these annexes be received as “Confidential” since they relate to *inter partes* disclosure.



Fatou Bensouda, Prosecutor

Dated this 1st day of April 2015

At The Hague, The Netherlands

⁶ ICC-02/11-01/11-737-AnxA.

⁷ Disclosure note for Pre-trial INCRIM Package 2 provided to the Defence of Laurent Gbagbo on 31 March 2015.

⁸ Disclosure note for Pre-trial INCRIM Package 2 provided to the Defence of Charles Blé Goudé on 31 March 2015.

⁹ Disclosure note for Pre-trial INCRIM Package 3 provided to the Defence of Charles Blé Goudé on 31 March 2015.

¹⁰ Disclosure note for Pre-trial Rule 77 Package 3 provided to the Defence of Laurent Gbagbo on 31 March 2015.

¹¹ Disclosure note for Pre-trial Rule 77 Package 3 provided to the Defence of Charles Blé Goudé on 31 March 2015.