



Original: English

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

Date: 14 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, E, F and G available to the Defence and
Legal Representatives**

**Prosecution's Communication of Evidence Disclosed to the Defence on
13 April 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

Mr Emmanuel Altit

Ms Agathe Bahi Baroan

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, of potentially exonerating evidence and of material pursuant to rule 77 of the Rules of Procedure and Evidence (“Rules”), by way of four disclosure packages under joint case file number ICC-02/11-01/15:
 - a. Pre-trial INCRIM Package 4, containing 11 items, to the Gbagbo Defence and to the Blé Goudé Defence;¹
 - b. Pre-trial PEXO Package 1, containing 1 item, to the Gbagbo Defence and to the Blé Goudé Defence;²
 - c. Pre-trial Rule 77 package 4, containing 2 items, to the Blé Goudé Defence only.³ These items are disclosed in lesser redacted form, and have already been disclosed to the Gbagbo Defence in this form; and
 - d. Pre-trial Rule 77 Package 5, containing 116 items, to the Gbagbo Defence and to the Blé Goudé Defence.⁴
2. The Prosecution also provides notice of its disclosure to the Defence of a CD containing a high quality copy of CIV-OTP-0077-0411, a video already disclosed through the Ringtail system on 23 March 2015. This video is being re-disclosed on a separate CD because it loses resolution quality when processed into Ringtail.
3. The disclosed material was provided in a format that complies with the eCourt protocol as approved at the Pre-Trial stage.⁵
4. As to the Accused Laurent Gbagbo, 10 items disclosed as incriminating and 1 item 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

¹ 20150413 INCRIM Package 4.

² 20150413 PEXO Package 1.

³ 20150413 Rule 77 Package 4.

⁴ 20150331 Rule 77 Package 5.

⁵ ICC-02/11-01/11-30-AnxI.

Charles Blé Goudé, falling under Category A.4. of the Redaction Protocol and in accordance with the Single Judge's decision of 25 February 2015.⁶

5. 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.⁷

Request for Confidentiality

6. Annexes A⁸, B,⁹ C,¹⁰ D,¹¹ E,¹² F¹³ and G¹⁴ 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 14th day of April 2015

At The Hague, The Netherlands

⁶ ICC-02/11-01/11-782, para.17.

⁷ ICC-02/11-01/11-737-AnxA.

⁸ Disclosure note for Pre-trial INCRIM Package 4 provided to the Defence of Laurent Gbagbo on 13 April 2015.

⁹ Disclosure note for Pre-trial INCRIM Package 4 provided to the Defence of Charles Blé Goudé on 13 April 2015.

¹⁰ Disclosure note for Pre-trial PEXO Package 1 provided to the Defence of Laurent Gbagbo on 13 April 2015.

¹¹ Disclosure note for Pre-trial PEXO Package 1 provided to the Defence of Charles Blé Goudé on 13 April 2015.

¹² Disclosure note for Pre-trial Rule 77 Package 4 provided to the Defence of Charles Blé Goudé on 13 April 2015.

¹³ Disclosure note for Pre-trial Rule 77 Package 5 provided to the Defence of Laurent Gbagbo on 13 April 2015.

¹⁴ Disclosure note for Pre-trial Rule 77 Package 5 provided to the Defence of Charles Blé Goudé on 13 April 2015.