



Original: **English**

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

Date: **12 May 2014**

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernández de Gurmendi, Single Judge

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF THE PROSECUTOR v. CHARLES BLÉ GOUDÉ

PUBLIC

With Confidential Annexes A and B

**Prosecution's Communication of Evidence Disclosed to the Defence
on 9 May 2014**

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, Prosecutor

Mr James Stewart, Deputy Prosecutor

Mr Eric Macdonald, Senior Trial Lawyer

Counsel for the Defence

Mr Nicholas Kaufman

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**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") notifies Pre-Trial Chamber I ("Chamber") of its disclosure, on 9 May 2014, of 1881 incriminating documents,¹ 2755 Rule 77 documents² and 156 potentially exculpatory documents.³ This material was disclosed pursuant to the Chamber's decision of 5 May 2014.⁴
2. Out of the 1881 items disclosed as incriminating documents, 1172 were disclosed with Rule 81(2) and/or Rule 81(4) redactions to their image and/or metadata. These redactions were applied as authorised by the Pre-Trial Chamber in previous decisions in the case of *The Prosecutor v. Laurent Gbagbo* and as reaffirmed in decision ICC-02/11-02/11-57, paragraph 9.
3. Out of the 2755 items disclosed as Rule 77 documents, 1284 were disclosed with *proprio motu* Rule 81(2) and/or Rule 81(4) redactions to their image and/or metadata. These *proprio motu* redactions were applied pursuant to paragraph 51 of decision ICC-02/11-01/11-30 in *The Prosecutor v. Laurent Gbagbo* case and as reaffirmed in decision ICC-02/11-02/11-57, paragraph 9.
4. Out of the 156 items disclosed as potentially exculpatory documents, 105 were disclosed with *proprio motu* Rule 81(2) and/or Rule 81(4) redactions to their image and/or metadata. These *proprio motu* redactions were also applied pursuant to paragraph 51 of decision ICC-02/11-01/11-30 in *The Prosecutor v. Laurent Gbagbo* case and as reaffirmed in decision ICC-02/11-02/11-57, paragraph 9.
5. The disclosed material was provided in a format that complies with the eCourt protocol approved by the Chamber.

¹ 20140509 Pre-Confirmation INCRIM Package 2.

² 20140509 Pre-Confirmation Rule 77 Package 2.

³ 20140509 Pre-Confirmation PEXO Package 2.

⁴ ICC-02/11-02/11-67, page 10.

Request for Confidentiality

6. Annexes A⁵ and B⁶ appended to this communication contain the pre-inspection report and disclosure note 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 12th day of May 2014

At The Hague, The Netherlands

⁵ Pre-inspection report for Rule 77 Packages 1 and 2 provided to the Defence of Charles Blé Goudé on 9 May 2014.

⁶ Disclosure note for PEXO Packages 1 and 2 provided to the Defence of Charles Blé Goudé on 9 May 2014.