



Original: English

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

Date: 8 July 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 to J available to the Defence and Legal
Representatives**

**Prosecution's Communication of Evidence Disclosed to the Defence on
7 and 8 July 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”) provides notice of the disclosure of the following packages to the Defence teams of Charles BLÉ GOUDÉ on 7 July 2015 and of Laurent GBAGBO on 8 July 2015:
 - a. INCRIM package 19, containing the re-disclosure of 5 items with fewer redactions.¹ Substantive redactions remain in conformity with the Redaction Protocol;²
 - b. INCRIM package 20, containing the re-disclosure of 30 items with fewer redactions.³ Substantive redactions remain in conformity with the Redaction Protocol ;
 - c. INCRIM package 21, containing 4 incriminating items.⁴ These 4 items were previously disclosed separately *via* email on 30 June 2015 and are now disclosed without any redactions;⁵
 - d. INCRIM package 22, containing 6 incriminating items.⁶ For 2 of these items, redactions were applied in accordance with the Redaction Protocol; and
 - e. Rule 77 package 18, containing 1 item pursuant to rule 77 of the Rules of Procedure and Evidence (“Rules”).⁷ This document is disclosed in accordance with Trial Chamber I’s decision on Victim Participation⁸ and with redactions applied to its image only in accordance with the Redaction Protocol. The redaction marked “B.3. LRV” is applied upon the request of the Legal Representative of Victims (“LRV”).

¹ 20150707 INCRIM Package 19 and 20150708 INCRIM Package 19.

² ICC-02/11-01/11-737-AnxA.

³ 20150707 INCRIM Package 20 and 20150708 INCRIM Package 20.

⁴ 20150707 INCRIM Package 21 and 20150708 INCRIM Package 21.

⁵ Email from Eric Macdonald entitled “Report on the disclosure of material by way of email” on 30 June 2015 at 15:59 to Trial Chamber I Communications and Counsel for both Accused.

⁶ 20150707 INCRIM Package 22 and 20150708 INCRIM Package 22.

⁷ 20150707 Rule 77 Package 18 and 20150708 Rule 77 Package 18.

⁸ ICC-02/11-01/11-800, para.56.

2. As submitted in its request for extension of time, the Prosecution has provided in INCRIM packages 19 and 20, the remaining 35 items that should have been re-disclosed with less redactions but previously failed in the process of generating the images for their disclosure in Pre-Trial INCRIM package 15.⁹
3. In INCRIM package 22, the Prosecution has provided the 6 documents related to Witness P-0590 that have previously been inadvertently disclosed pursuant to rule 77 of the Rules, as a result of an internal clerical error; for this reason these documents have been re-classified and re-disclosed as incriminating evidence. Witness P-0590 is on the List of Witnesses (Annex A of the 30 June 2015 filing) and a summary of the witness's evidence was filed (Annex B of the 30 June 2015 filing).¹⁰
4. In Rule 77 package 18, the Prosecution has provided an additional application for participation of a dual status witness as anticipated in the Prosecution's email to the Trial Chamber I of 26 June 2015. This document has been disclosed with a redaction marked "B.3. LRV" applied on its image, as the Prosecution understood that the LRV intended to submit a filing to the Chamber in relation to those redactions on 7 July 2015.¹¹
5. The disclosed material was provided in a format that complies with the eCourt protocol as approved at trial stage.¹²

Request for Confidentiality

6. Annexes A,¹³ B,¹⁴ C,¹⁵ D,¹⁶ E,¹⁷ F,¹⁸ G,¹⁹ H²⁰, I²¹ and J²² appended to this communication contain the disclosure notes provided to the Defence. The

⁹ ICC-02/11-01/15-118.

¹⁰ ICC-02/11-01/15-114+Conf-Anxs.

¹¹ ICC-02/11-01/15-126.

¹² ICC-02/11-01/15-58, para.24.

Prosecution requests that these annexes be received as “Confidential” since they relate to *inter partes* disclosure.



Fatou Bensouda, Prosecutor

Dated this 8th day of July 2015

At The Hague, The Netherlands

¹³ Disclosure note for Pre-trial INCRIM Package 19 provided to the Defence of Charles Blé Goudé on 7 July 2015.

¹⁴ Disclosure note for Pre-trial INCRIM Package 19 provided to the Defence of Laurent Gbagbo on 8 July 2015.

¹⁵ Disclosure note for Pre-trial INCRIM Package 20 provided to the Defence of Charles Blé Goudé on 7 July 2015.

¹⁶ Disclosure note for Pre-trial INCRIM Package 20 provided to the Defence of Laurent Gbagbo on 8 July 2015.

¹⁷ Disclosure note for Pre-trial INCRIM Package 21 provided to the Defence of Charles Blé Goudé on 7 July 2015.

¹⁸ Disclosure note for Pre-trial INCRIM Package 21 provided to the Defence of Laurent Gbagbo on 8 July 2015.

¹⁹ Disclosure note for Pre-trial INCRIM Package 22 provided to the Defence of Charles Blé Goudé on 7 July 2015.

²⁰ Disclosure note for Pre-trial INCRIM Package 22 provided to the Defence of Laurent Gbagbo on 8 July 2015.

²¹ Disclosure note for Pre-trial Rule 77 Package 18 provided to the Defence of Charles Blé Goudé on 7 July 2015.

²² Disclosure note for Pre-trial Rule 77 Package 18 provided to the Defence of Laurent Gbagbo on 8 July 2015.