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

Date: 16 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 public Annex 1 and confidential Annex 2 available to the Defence and Legal
Representatives**

Prosecution Pre-Trial Brief

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

Prosecution's Submission

1. The Office of the Prosecutor ("Prosecution") submits its Pre-Trial Brief, as ordered by the Trial Chamber ("Chamber").¹
2. The Pre-Trial Brief provides a detailed overview of the Prosecution's case. It does not constitute an exhaustive presentation of the evidence the Prosecution will rely on at trial. Rather, it presents, with some detail, the Prosecution's case theory and its main themes. Due to the nature of this filing, the Prosecution requested an extension of the page and word limits, which were both granted by the Trial Chamber.²
3. Annex 1 is a public version of the Pre-Trial Brief, excluding footnotes. It contains the same annexes as set out at paragraph 4 below.
4. Annex 2 is a confidential version of the Pre-Trial Brief that includes footnotes. It also includes the following annexes:
 - a. Annex A: a List of Acronyms used in the Pre-Trial Brief;
 - b. Annex B: a *dramatis personae* (cast of characters) appearing in the Pre-Trial Brief, including brief descriptions of each person;
 - c. Annex C: three Organisational Charts: i) the FDS formal structure during the post-election violence; ii) the FDS parallel structure during the post-election violence; and iii) the structure of the *Galaxie Patriotique*;
 - d. Annex D: a List of French and Defined Terms used in both the Pre-Trial Brief and in Annex C; and
 - e. Annex E: a List of Authorities cited in the Pre-Trial Brief.

¹ ICC-02/11-01/15-58, para.26.

² ICC-02/11-01/15-131; ICC-02/11-01/15-138. Mindful of the Chamber's guidance to parties in focusing their written submissions, the Pre-Trial Brief is filed at 249 pages and just over 96,000 words.

5. A public redaction version of the Pre-Trial Brief that includes footnotes will be provided as soon as practicable.
6. In submitting its Pre-Trial Brief, the Prosecution brings the following matters to the Chamber's attention:
 - a. References are made in the Pre-Trial Brief to the recent interviews of witnesses P-0435, P-0483, P-0500 and P-0607. As previously advised by the Prosecution,³ these interviews have not yet been transcribed. Once these transcripts are completed and disclosed, the Prosecution will seek permission to add them to its List of Evidence.
 - b. The Prosecution will provide a hyperlinked courtesy copy of the footnoted Pre-Trial Brief once all material disclosed to both Defence teams has been merged in the joint eCourt case record. The Registry and the Prosecution are currently discussing the technical terms of the procedure to be implemented in order to ensure the eCourt database for the joint case is correctly populated.

³ ICC-02/11-01/15-115-Red, paras.5-19.

Request for Confidentiality

7. Annex 2 is attached as “Confidential” under regulation 23*bis*(1) of the Regulations of the Court as it contains potentially identifying information in relation to witnesses.



Fatou Bensouda, Prosecutor

Dated this 16th day of July 2015

At The Hague, The Netherlands