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

Date: 24 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

Prosecution Notice of Withdrawal of Witness P-0439 from the List of Witnesses

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

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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

Introduction

1. The Office of the Prosecutor (“Prosecution”) hereby files notice of its withdrawal of Witness P-0439 from its List of Witnesses.¹
2. It follows that the Prosecution also withdraws its request for an extension of time to disclose the expert report of this witness.² The remainder of the Regulation 35 request is maintained.

Submissions

3. On 5 July 2015, the Prosecution received an email from Witness P-0439, before he left on mission abroad. The email appears to indicate P-0439’s inability to produce a report, though he says he is still willing to testify. The Prosecution has since attempted to contact P-0439 by email, without success. The effect of P-0439’s inability to produce a report is that the Prosecution cannot now call P-0439 to testify as an expert witness at trial.

Conclusion

4. In the circumstances, the Prosecution files this notice of its withdrawal of Witness P-0439 from its List of Witnesses, and also withdraws its request for an extension of time to disclose this witness’s expert report.



Fatou Bensouda, Prosecutor

Dated this 24th day of July 2015

At The Hague, The Netherlands

¹ICC-02/11-01/15-114-Conf-AnxA.

² ICC-02/11-02/15-115-Conf, p.9; *See also* ICC-02/11-02/15-115-Red, p.9 (“Regulation 35 Request”).