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No.: **ICC-02/11-01/15**
Date: **26 August 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 annexes 1 and 2

Prosecution's submission of an amended version of section V.10 of its pre-trial brief, pursuant to the Trial Chamber's Decision of 19 August 2015 (ICC-02/11-01/15-185)

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

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Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Submission

1. The Prosecution hereby submits an amended version of section V.10 of its pre-trial brief.¹ On 19 August 2015, the Trial Chamber issued its Decision giving notice pursuant to Regulation 55(2) of the Regulations of the Court.² The Chamber notified the Parties and participants of the possibility that the legal characterisation of the facts set out in the *Gbagbo* Confirmation Decision³ may be subject to change to include Mr Gbagbo's liability under article 28(a) or (b) of the Statute, and, ordered the Prosecution to file an amended version of or addendum to its pre-trial brief, or to indicate that such amendment or addendum is unnecessary.⁴

Submission of amended version

2. The Prosecution submits in Annex 1 a tracked changed version of amended section V.10, and a clean version in Annex 2.
3. The following amendments have been made to the footnotes only:
 - a. correction of cross-references (footnote 1489); and
 - b. addition of cross-references (footnotes 1476-1479 , 1482, 1498).

Level of confidentiality

4. The Prosecution notes that the footnoted version of the pre-trial brief was filed confidentially, because it contained potentially identifying information in relation to

¹ The amendment is made to ICC-02/11-01/15-148-Conf-Anx2-Corr, filed on 28 July 2015.

² ICC-02/11-01/15-185.

³ ICC-02/11-01/11-656-Conf (“*Gbagbo* Confirmation Decision”), paras.263-265. *See also* ICC-02/11-01/11-656-Red.

⁴ ICC-02/11-01/15-185, p.11.

witnesses.⁵ However, because the footnotes to section V.10 of the pre-trial brief contain no such information, no confidentiality is requested for the amended version of section V.10.



Fatou Bensouda, Prosecutor

Dated this 26th day of August 2015

At The Hague, The Netherlands

⁵ ICC-02/11-01/15-148, para.7; ICC-02/11-01/15-148-Conf-Anx2.