



Original: English

No.: ICC-02/11-01/15
Date: 19 October 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, B, C and D available to the Defence and
Legal Representatives**

**Prosecution's Communication of Evidence Disclosed to the Defence on
19 October 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

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Office of the Prosecutor (“Prosecution”) provides notice of the disclosure to the Defence teams of Laurent GBAGBO and Charles BLÉ GOUDÉ of the following packages on 19 October 2015:
 - a. Rule 77 package 22, containing three items provided in compliance with the Prosecution’s ongoing disclosure obligations pursuant to rule 77 of the Rules of Procedure and Evidence¹ and which were provided without redactions. The Prosecution notes further that these three items were obtained in August 2015 in the course of preparing the witness information forms (“WiF”)² for the Victims and Witnesses Unit; and
 - b. PEXO package 4, containing two potentially exonerating items,³ of which one item was provided with redactions to its content in accordance with decision ICC-02/11-01/11-737 (“Redaction Protocol”).⁴ These items were provided in compliance to the Prosecution’s ongoing disclosure obligations pursuant to article 67(2) of the Statute. The Prosecution notes that these two items are dated 2 and 15 July 2015 respectively and were recently collected.
2. The disclosed material was provided in a format that complies with the eCourt protocol as approved in the case.⁵

¹ 20151019 Rule 77 Package 22.

² Also known as witness information sheets as referred to by the VWU at the last status conference, *see* ICC-02/11-01/15-T-4-ENG ET, p. 29, l. 4-19.

³ 20151019 PEXO Package 4.

⁴ *See* ICC-02/11-01/11-737-AnxA.

⁵ *See* ICC-02/11-01/15-58, para. 24.

Request for Confidentiality

3. Annexes A⁶, B⁷, C⁸ and D⁹ appended to this communication contain the disclosure notes 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 19th day of October 2015

At The Hague, The Netherlands

⁶ Disclosure note for Pre-trial Rule 77 Package 22 provided to the Defence of Laurent Gbagbo on 19 October 2015.

⁷ Disclosure note for Pre-trial Rule 77 Package 22 provided to the Defence of Charles Blé Goudé on 19 October 2015.

⁸ Disclosure note for Pre-trial PEXO Package 4 provided to the Defence of Laurent Gbagbo on 19 October 2015

⁹ Disclosure note for Pre-trial PEXO Package 4 provided to the Defence of Charles Blé Goudé on 19 October 2015.