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

Date: **4 May 2018**

TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Presiding Judge
Judge Olga Herrera Carbuccion
Judge Geoffrey Henderson

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

**Prosecution's Communication of Evidence Disclosed to the Defence on
4, 6 and 20 April 2018**

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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Other

Introduction

1. The Prosecution hereby provides its monthly report relating to disclosures to Mr Gbagbo and Mr Blé Goudé on 4 April 2018, 6 April 2018, and 20 April 2018.
2. All disclosed material was provided *via* RM electronically, in a format that complies with the e-Court Protocol as approved for the trial stage.¹

Request for Confidentiality

3. Annexes A,² B,³ C,⁴ D,⁵ E,⁶ F,⁷ G,⁸ H,⁹ I,¹⁰ and J¹¹ appended to this communication contain the disclosure letters and lists provided to the Accused. The Prosecution requests that these annexes be received as “Confidential” since they relate to *inter partes* disclosure.

Disclosure of 4 April 2018

4. The Prosecution provides notice of the disclosure, on 4 April 2018, to the Defence of INCRIM package 99,¹² containing corrected versions of four previously disclosed items without redactions. These items were disclosed as incriminatory evidence for upload onto e-Court pursuant to the Chamber’s instructions.¹³ The package consisted of:

¹ See ICC-02/11-01/15-58, para. 24.

² Disclosure letter and list for INCRIM package 99 provided to the Defence of Laurent Gbagbo on 4 April 2018.

³ Disclosure letter and list for INCRIM package 99 provided to the Defence of Charles Blé Goudé on 4 April 2018.

⁴ Disclosure letter and list for Rule 77 package 111 provided to the Defence of Laurent Gbagbo on 4 April 2018.

⁵ Disclosure letter and list for Rule 77 package 111 provided to the Defence of Charles Blé Goudé on 4 April 2018.

⁶ Disclosure letter and list for Metadata Update provided to the Defence of Laurent Gbagbo on 4 April 2018.

⁷ Disclosure letter and list for Metadata Update provided to the Defence of Charles Blé Goudé on 4 April 2018.

⁸ Disclosure letter and list for Rule 77 package 110 provided to the Defence of Laurent Gbagbo on 6 April 2018.

⁹ Disclosure letter and list for Rule 77 package 110 provided to the Defence of Charles Blé Goudé on 6 April 2018.

¹⁰ Disclosure letter and list for Rule 77 package 112 provided to the Defence of Laurent Gbagbo on 20 April 2018.

¹¹ Disclosure letter and list for Rule 77 package 112 provided to the Defence of Charles Blé Goudé on 20 April 2018.

¹² Annexes A and B.

¹³ See ICC-02/11-01/15-950-Red, para.75.

- a. One corrected English and French transcription,¹⁴ one corrected French translation,¹⁵ and one corrected English translation¹⁶ of audio/video excerpt CIV-OTP-0015-0594 – whereby the year of the original recording was corrected from 2012 to 2011.
 - b. One corrected transcript¹⁷ of the audio/video excerpt of CIV-OTP-0026-0018 entitled: “*Transcription de document audio / vidéo / Le Journal / 13H00 / 20H00*”.
5. Further details are provided in the disclosure letters and lists at Confidential Annexes A and B.
 6. The Prosecution provides notice of the disclosure, on 4 April 2018, to the Defence of Rule 77 package 111,¹⁸ containing four items. All items were disclosed without redactions. The package consisted of:
 - a. One video, transcript, and screenshot of Charles Blé Goudé giving a speech in 2001 at the *Forum de la Réconciliation Nationale*.¹⁹
 - b. One media article dated 5 March 2018 regarding the Ivorian government giving money to the relatives of the victims of the 3 March 2011 incident on the anniversary of their death.²⁰
 7. Further details are provided in the disclosure letters and lists at Confidential Annexes C and D.
 8. The Prosecution further provides notice of the disclosure to the Defence, on 4 April 2018, of a Metadata Update package²¹ containing one item, previously disclosed as

¹⁴ Item 1 of the Prosecution’s List of Disclosed Material.

¹⁵ Item 2 of the Prosecution’s List of Disclosed Material.

¹⁶ Item 4 of the Prosecution’s List of Disclosed Material.

¹⁷ Item 3 of the Prosecution’s List of Disclosed Material.

¹⁸ Annexes C and D.

¹⁹ Items 1-3 of the Prosecution’s List of Disclosed Material.

²⁰ Item 4 of the Prosecution’s List of Disclosed Material.

²¹ Annexes E and F.

incriminatory evidence. The “Main Date” field was updated for one document²² from 2000 to 2010.

9. Further details are provided in the disclosure letters and lists at Confidential Annexes E and F.

Disclosure of 6 April 2018

10. The Prosecution provides notice of the disclosure, on 6 April 2018, to the Defence of Rule 77 package 110,²³ containing 89 items. Nineteen of these items contained redactions to either their content or metadata, in accordance with decision ICC-02/11-01/11-737 (“Redaction Protocol”).²⁴
11. The details of the material disclosed are provided in the disclosure letters and lists at Confidential Annexes G and H.

Disclosure of 20 April 2018

12. The Prosecution provides notice of the disclosure, on 20 April 2018, to the Defence of Rule 77 package 112,²⁵ containing 45 items. There were no redactions to the contents of the items in this package. Four of these items contained metadata redactions, in accordance with the Redaction Protocol. Five items had been previously disclosed and were disclosed in this package with fewer or no redactions.²⁶

²² Item 1 in the Prosecution’s List of Disclosed Material.

²³ Annexes G and H.

²⁴ See ICC-02/11-01/15-1109-Red.

²⁵ Annexes I and J.

²⁶ Items 29-30, 42, 44-45 of the Prosecution’s List of Disclosed Material.

13. The details of the material disclosed are provided in the disclosure letters and lists at Confidential Annexes I and J.

A handwritten signature in blue ink, appearing to read 'Bensouda', is written over a horizontal line.

Fatou Bensouda, Prosecutor

Dated this 4th day of May 2018

At The Hague, The Netherlands