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

Date: 8 August 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, B, C, D, E and F

**Prosecution's Communication of Evidence Disclosed to the Defence on 12 and 20
July 2018**

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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Mr James Stewart

Mr Eric MacDonald

Counsel for Mr Laurent Gbagbo

Mr Emmanuel Altit

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Mr Geert-Jan Alexander Knoops

Mr Claver N'dry

Legal Representatives of the Victims

Ms Paolina Massidda

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
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 Peter Lewis

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Introduction

1. The Prosecution hereby provides its monthly report relating to disclosures to Mr Gbagbo and Mr Blé Goudé on 12 and 20 July 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 E⁶ and F⁷ 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 12 July 2018

4. The Prosecution provides notice of the disclosure, on 12 July 2018, to the Defence of Rule 77 package 117,⁸ containing 11 items. Ten items were disclosed with redactions to their content and metadata and one item was disclosed in unredacted form. Seven of these items were previously disclosed and on 12 July 2018 were re-disclosed with fewer redactions.
5. Further details are provided in the disclosure letters and lists at Confidential Annexes A and B.

¹ See ICC-02/11-01/15-58, para. 24.

² Disclosure letter and list for Rule 77 package 117 provided to the Defence of Laurent Gbagbo on 12 July 2018.

³ Disclosure letter and list for Rule 77 package 117 provided to the Defence of Charles Blé Goudé on 12 July 2018.

⁴ Disclosure letter and list for Rule 77 package 118 provided to the Defence of Laurent Gbagbo on 20 July 2018.

⁵ Disclosure letter and list for Rule 77 package 118 provided to the Defence of Charles Blé Goudé on 20 July 2018.

⁶ Disclosure letter and list for Metadata Update package provided to the Defence of Laurent Gbagbo on 20 July 2018.

⁷ Disclosure letter and list for Metadata Update package provided to the Defence of Charles Blé Goudé on 20 July 2018.

⁸ Annexes A and B.

Disclosure of 20 July 2018

6. The Prosecution provides notice of the disclosure, on 20 July 2018, to the Defence of Rule 77 package 118,⁹ containing 24 items disclosed without redactions. The package consisted of:
 - a. Two witness statements, their annexes and corrections to their statements;¹⁰
 - b. Two items related to OTP's collection of documents from the archives of the *Service Courrier of the Gendarmerie Nationale* in May 2018;¹¹
 - c. Twelve documents¹² collected from the *Gendarmerie Nationale* archives in July 2018;
 - d. An OTP investigator's report and annex detailing the collection of documents in July 2018.¹³
7. Further details are provided in the disclosure letters and lists at Confidential Annexes C and D.
8. The Prosecution provides notice of the disclosure, on 20 July 2018, to the Defence of Metadata Update package,¹⁴ containing one item already disclosed as incriminatory evidence. The Chain of Custody field has been updated.

⁹ Annexes C and D.

¹⁰ Items 1-5 and 8-9 of the Prosecution's List of Disclosed Material.

¹¹ Items 6 and 7 of the Prosecution's List of Disclosed Material.

¹² Items 10 to 22 of the Prosecution's List of Disclosed Material.

¹³ Items 23 and 24 of the Prosecution's List of Disclosed Material.

¹⁴ Annexes E and F.

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



Fatou Bensouda, Prosecutor

Dated this 8th day of August 2018

At The Hague, The Netherlands