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

Date: **2 March 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 D

**Prosecution's Communication of Evidence Disclosed to the Defence on
2 and 5 February 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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**The Office of Public Counsel for
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Amicus Curiae

REGISTRY

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Mr Herman von Hebel

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 2 February and 5 February 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 and D,⁵ 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 2 February 2018

4. The Prosecution provides notice of the disclosure, on 2 February 2018, to Mr Gbagbo and Mr Blé Goudé of Rule 77 package 109,⁶ containing 87 items. Seventy-nine items contained redactions to their contents and metadata, in accordance with decision ICC-02/11-01/11-737 (“Redaction Protocol”) and the Chamber’s public redacted decision of 1 February 2018.⁷
5. The details of the material disclosed 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 109 provided to the Defence of Laurent Gbagbo on 2 February 2018.

³ Disclosure letter and list for Rule 77 package 109 provided to the Defence of Charles Blé Goudé on 2 February 2018.

⁴ Disclosure letter and list for INCRIM package 98 provided to the Defence of Laurent Gbagbo on 5 February 2018.

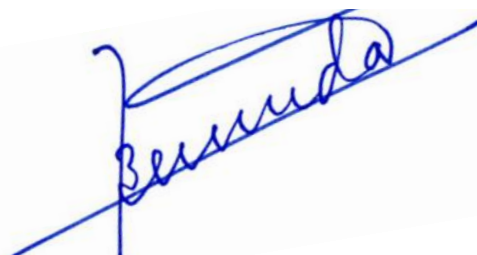
⁵ Disclosure letter and list for INCRIM package 98 provided to the Defence of Charles Blé Goudé on 5 February 2018.

⁶ Annexes A and B.

⁷ See ICC-02/11-01/15-1109-Red.

Disclosure for 5 February 2018

6. The Prosecution provides notice of the disclosure, on 5 February 2018, to Mr Gbagbo and Mr Blé Goudé of INCRIM package 98,⁸ containing three items disclosed without redactions. These items were disclosed as incriminatory evidence for upload onto e-Court pursuant to the Chamber's instructions.⁹ The package consisted of:
- a. Two documents¹⁰ related to the certification of the statements of two witnesses under rule 68(2)(b) of the Rules of Procedure and Evidence ("Rules"), as transmitted by the Registry through the annexes to filing ICC-02/11-01/15-683-Conf.
 - b. One addendum¹¹ related to the certification of the statement of a witness under rule 68(2)(b) of the Rules, as transmitted by the Registry through the annex to filing ICC-02/11-01/15-723-Conf.
7. Further details are provided in the disclosure letters and lists at Confidential Annexes C and D.



Fatou Bensouda, Prosecutor

Dated this 2nd day of March 2018

At The Hague, The Netherlands

⁸ Annexes C and D.

⁹ See ICC-02/11-01/15-950-Red, para. 75.

¹⁰ Items 2 and 3 of the Prosecution's List of Disclosed Material.

¹¹ Item 1 of the Prosecution's List of Disclosed Material.