

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

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

Date: **12/09/2014**

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernandez de Gurmendi, Single Judge

**SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE
IN THE CASE OF
*THE PROSECUTOR v. CHARLES BLÉ GOUDÉ***

**Public Document
with Confidential Annexes A and B**

**Defence Communication of Rule 78 Evidence Disclosed to the Parties
on 12 September 2014 and its List of Evidence**

Source: Defence for Charles Blé Goudé

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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Legal Representatives of the Victims

**Legal Representatives of the
Applicants**

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**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

I. Introduction

1. The Defence for Charles Blé Goudé (the “**Suspect**”) (the “**Defence**”) hereby communicates¹ to the Chamber evidence disclosed to the Prosecutor as well as the list of evidence on which it plans to rely at the confirmation hearing.²

2. The disclosure and was made and the list of evidence is being provided pursuant to, and in accordance with, the Pre-Trial Chamber I’s decisions of 14 April 2014 “Decision establishing a system for disclosure of evidence”³ and the 5 May 2014 “Second Decision establishing a system for disclosure of evidence,”⁴ as well as Article 61(6) of the Rome Statute and Rules 78 and 121(6) of the Rules of Procedure and Evidence.⁵

II. Confidentiality

3. The Defence requests that the Annex to this communication be received and marked as “confidential”, as it relates to evidence disclosed *inter partes* that should not be released to the public.

¹ ICC-02/11-02/11-57, at para. 7 (“the parties shall communicate to the Chamber the evidence disclosed for the purposes of the confirmation of charges hearing following each batch of disclosure.”).

² *Ibid.* (“In addition, the Defence is expected to ensure the communication to the Chamber of any of the evidence disclosed to it under article 67(2) of the Statute or rule 11 of the Rules upon which it intends to rely at the hearing.”)

³ ICC-02/11-02/11-57.

⁴ ICC-02/11-02/11-67.

⁵ See Annex A and Annex B hereto.

III. Submissions

4. Confidential Annex A attached hereto thus contains documents in the Defence list of evidence, in particular material related to the Suspect including open source material. Confidential Annex B attached hereto contains the Defence list of evidence on which it plans to rely at the confirmation hearing, including: (i) material related to the Suspect including open source material; (ii) materials disclosed by the Office of the Prosecutor, and (iii) materials disclosed by the Defence in case ICC-02/11-01/11.



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Friday, September 12, 2014