



Original: English

No.: ICC-02/11-01/11
Date: 4 December 2014

TRIAL CHAMBER I

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

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF THE PROSECUTOR v. LAURENT GBAGBO

PUBLIC

With confidential Annexes A, B and C

**Prosecution's Communication of Evidence Disclosed to the Defence
on 3 December 2014**

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 the Defence

Mr Emmanuel Altit

Ms Agathe Bahi Baroan

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

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Office of the Prosecutor (“OTP”) notifies Trial Chamber I of its disclosure, on 3 December 2014, of 12 incriminating documents,¹ one potentially exonerating document² and 99 documents disclosed pursuant to Rule 77 of the Rules of Procedure and Evidence (“Rules”).³
2. The potentially exonerating document was disclosed with a *proprio motu* redaction to its metadata pursuant to Rule 81(2) of the Rules. This redaction has been applied to the name of an OTP staff member in accordance with decision ICC-02/11-01/11-30.⁴
3. 92 out of the 99 documents disclosed pursuant to Rule 77 of the Rules were disclosed with *proprio motu* redactions to their content and/or metadata under Rule 81(2) and/or Rule 81(4) of the Rules. These *proprio motu* redactions were also applied pursuant to paragraph 51 of decision ICC-02/11-01/11-30.
4. The disclosed material was provided in a format that complies with the eCourt protocol as approved at the Pre-Trial stage.⁵

¹ 20141203 Pre-Trial INCRIM Package 32.

² 20141203 Pre-Trial PEXO Package 20.

³ 20141203 Pre-Trial Rule 77 Package 30.

⁴ ICC-02/11-01/11-30, para. 51.

⁵ ICC-02/11-01/11-30-AnxI.

Request for Confidentiality

5. Annexes A⁶, B⁷ and C⁸ 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 4th day of December 2014

At The Hague, The Netherlands

⁶ Disclosure note for Pre-Trial INCRIM Package 32 provided to the Defence of Laurent Gbagbo on 3 December 2014.

⁷ Disclosure note for Pre-Trial PEXO Package 20 provided to the Defence of Laurent Gbagbo on 3 December 2014.

⁸ Pre-inspection report for Pre-Trial Rule 77 Package 30 provided to the Defence of Laurent Gbagbo on 3 December 2014.