



Original: **English**

No.: **ICC-02/11-01/11**
Date: **24 February 2014**

PRE-TRIAL CHAMBER I

Before: Judge Silvia Fernández de Gurmendi, Presiding Judge
Judge Hans-Peter Kaul
Judge Christine Van den Wyngaert

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF THE PROSECUTOR v. LAURENT GBAGBO

PUBLIC

with Confidential annexes A and B

**Prosecution's Communication of Evidence Disclosed to the Defence
on 24 February 2014 pursuant to Article 67(2) and Rule 77**

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

Me Agathe Bahi Baroan

Me Natacha Fauveau Ivanovic

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 Prosecution notifies Pre-Trial Chamber I (“Chamber”) of its disclosure, on 24 February 2014, of two potentially exonerating documents¹ and 36 documents disclosed pursuant to Rule 77 of the Rules.²
2. Most of the documents are *procès-verbaux d’audition* from national proceedings and were disclosed with *proprio motu* redactions limited to their metadata and applied pursuant to Rule 81(2) of the Rules and paragraph 51 of decision ICC-02/11-01/11-30. These redactions pertain to the name of an OTP investigator, who collected the material and to the identity of an OTP source, who provided some of the documents.
3. The disclosed material was provided in a format that complies with the e-Court protocol approved by the Pre-Trial Chamber.

Request for Confidentiality

4. Annexes A³ and B⁴ appended to this communication contain the disclosure note and pre-inspection report 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 24th day of February 2014

At The Hague, The Netherlands

¹ 20140224 Pre-Confirmation PEXO Package 18.

² 20140224 Pre-Confirmation Rule 77 Package 25.

³ Disclosure note for PEXO package 18 provided to the Defence of Laurent Gbagbo on 24 February 2014.

⁴ Pre-inspection report for Rule 77 package 25 provided to the Defence of Laurent Gbagbo on 24 February 2014.