



Original: **English**

No.: ICC-02/11-01/11
Date: 14 November 2013

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

**Prosecution's Communication of Incriminatory Evidence Disclosed to the Defence
on 13 November 2013**

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

Ms 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 Office of the Prosecutor ("Prosecution") notifies Pre-Trial Chamber I ("Chamber") of its disclosure, on 13 November 2013, of 205 incriminating documents.¹
2. Out of the 205 documents, 203 contained redactions to the content and/or metadata. For 202 documents these redactions were authorised by Pre-Trial Chamber I in its decisions of 7 November 2013.² The Prosecution also re-disclosed the statement of CIV-OTP-P-0316³ for which the redactions to the name of OTP15, were lifted. The package further contained two unredacted documents, CIV-OTP-0048-1667 and CIV-OTP-0048-1670, which are transcripts of videos.
3. The incriminating evidence was handed over in a format that complies with the e-Court protocol approved by the Chamber.
4. The Defence was also provided with the elements-based chart for INCRIM Package 22 and with updated information as to which statements have been taken by the same investigator.



Fatou Bensouda, Prosecutor

Dated this 14th day of November 2013
At The Hague, The Netherlands

¹ 20131113 Pre-Confirmation INCRIM Package 22. Consistent with the agreement between the Prosecution and the Defence, the Prosecution provided the elements-based chart which shall not be understood as a limitation for the Prosecution for its use of the evidence for the purpose of the confirmation hearing. Neither does it limit the Chamber's power to freely assess all the evidence before it.

² ICC-02/11-01/11-554-Conf-Red and ICC-02/11-01/11-556.

³ CIV-OTP-0043-0461.