



Original: **English**

No.: **ICC-02/11-01/11**
Date: **5 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 and Re-Issue of OCR
Files Disclosed to the Defence on 4 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

Me Agathe Bahi Baroan

Me Natacha Fauveau Ivanovic

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

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 4 November 2013, of eight incriminating documents.¹
2. Three of those documents² contain redactions to the content and/or metadata, as authorised by the Chamber in its decision of 30 October 2013.³
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 21 and with updated information as to which statements have been taken by the same investigator.
5. The Defence was also re-issued with the OCR files of all documents disclosed between the beginning of August 2013 and 3 October 2013. The Prosecution re-disclosed the OCR files as content searches in the new French documents registered in Ringtail had become unreliable since the beginning of August due to a technical problem because of which French accents and characters were showing as different symbols.



Fatou Bensouda, Prosecutor

Dated this 5th day of November 2013
At The Hague, The Netherlands

¹ 20131104 Pre-Confirmation INCRIM Package 21. 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 CIV-OTP-0048-1396, CIV-OTP-0048-1491 and CIV-OTP-0049-2866.

³ ICC-02/11-01/11-549.