



Original: **English**

No.: **ICC-02/11-01/11**

Date: **4 October 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 3 October 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") herewith notifies Pre-Trial Chamber I ("Chamber") of its disclosure, on 3 October 2013 of 317 incriminating documents.¹
2. Fifty of these documents contain redactions to their image and/or metadata, as authorised by the Pre-Trial Chamber I in its 27 September 2013 Decision.² Two additional videos also contain redactions. One of the videos has redactions to its metadata, as authorised on 3 October 2013³ and the other video⁴ has a redaction applied by the provider (United Nations) as a condition attached to its disclosure.
3. The incriminating evidence was provided in a format that complies with the e-Court protocol approved by the Pre-Trial Chamber.



Fatou Bensouda, Prosecutor

Dated this 4th day of October 2013

At The Hague, The Netherlands

¹ 20131003 Pre-Confirmation INCRIM Package 18 and 20131003 Pre-Confirmation INCRIM Package 19. Consistent with the agreement between the Prosecution and the Defence, the Prosecution provided the element-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-02/11-01/11-514.

³ ICC-02/11-01/11-520.

⁴ CIV-OTP-0044-0738.