



Original: **English**

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

Date: **12 August 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 9 August 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

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 9 August 2013, to the Defence team of Laurent Gbagbo, of 454 incriminating documents.¹
2. 451 of those documents contain redactions to the content and/or metadata, as authorised by Pre-Trial Chamber I in its decisions of 2 August 2013.² The three unredacted documents are transcripts of videos that were disclosed together with the videos.³
3. 453 documents were provided in a format that complies with the e-Court protocol approved by the Pre-Trial Chamber. Video file CIV-OTP-0042-0590 was delivered on a separate DVD as it cannot be encoded in a format compatible with Ringtail.
4. The Defence was also provided with updated information as to which statements were taken by the same investigator.



Fatou Bensouda, Prosecutor

Dated this 12th day of August 2013

At The Hague, The Netherlands

¹ 20130809 Pre-Confirmation INCRIM Package 16. 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-02/11-01/11-465 and Conf-Exp-Anx and ICC-02/11-01/11-466-Conf-Red and Conf-Exp-Anx.

³ CIV-OTP-0042-0432 (transcript of CIV-OTP-0042-0411), CIV-OTP-0044-2534 (transcript of CIV-OTP-0026-0020) and CIV-OTP-0044-2497 (translation of CIV-OTP-0015-0547).