



Original: **English**

No.: ICC-02/11-01/11
Date: 9 November 2012

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 Annex A**

**Prosecution's Communication of Potentially Exonerating Evidence Disclosed to
the Defence on 9 November 2012**

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

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

Ms Silvana Arbia

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 files in the case record the disclosure note regarding the provision to the Defence team of Laurent Gbagbo, on 9 November 2012, of two items pursuant to Article 67(2) of the Statute.
2. One of the documents contained in this package is the remaining transcript of CIV-OTP-P-0100. Due to an administrative error this document was not registered together with the other transcripts of the witness and is therefore being disclosed now.
3. CIV-OTP-P-0100's transcript contains *proprio motu* redactions applied in accordance with paragraph 51 of the Chamber's decision of 24 January 2012¹. The redactions applied to the document are in relation to names of OTP staff and to the date and month of the interview with the witness.

Request for Confidentiality

4. Annex A² appended to this communication contains the pre-inspection report provided to the Defence. The Prosecution requests that this annex be received as "Confidential" since it relates to *inter partes* disclosure.



Fatou Bensouda, Prosecutor

Dated this 9th day of November 2012

At The Hague, The Netherlands

¹ ICC-02/11-01/11-30.

² Disclosure note for PEXO package 7 provided to the Defence of Laurent Gbagbo on 9 November 2012.