



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 Pre-Inspection Report for Material Provided to  
the Defence under Rule 77 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

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**

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**REGISTRY**

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**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 pre-inspection report regarding the disclosure to the Defence team of Laurent Gbagbo, on 9 November 2012, of 139 items pursuant to Rule 77 of the Rules of Procedure and Evidence. Sixteen documents contained in that package were collected at the Presidential Residence ("the Residence").
2. The Prosecution informed the Defence that items 19 to 139 were a hand-over of material, which were seized by the national authorities of Ivory Coast from CIV-OTP-P-0069.
3. The Prosecution disclosed a new metadata field, called "Transaction data". This field contains the properties of electronic documents, for example the date of creation, the date of modification and the file name as found in the original electronic version. In order to import this data, a corresponding "memo" field will first have to be created in the Defence Ringtail system. The Prosecution suggested the Defence to request assistance from ICT to perform this operation and is at the disposal of ICT for any technical questions that may arise. The "Transaction data" field is currently not contained in the E-court Protocol, but the Prosecution believes that it is information relevant to the Defence, in relation to electronic material.
4. Some of the documents disclosed to the Defence contain *proprio motu* redactions applied in accordance with paragraph 51 of the Chamber's decision of 24 January 2012<sup>1</sup>. The redactions applied to the documents are in relation to names of OTP staff, to the identity of certain OTP sources and to contact details of innocent third parties.

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<sup>1</sup> ICC-02/11-01/11-30.

### Request for Confidentiality

5. Annex A<sup>2</sup> 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.



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Fatou Bensouda, Prosecutor

Dated this 9<sup>th</sup> day of November 2012

At The Hague, The Netherlands

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<sup>2</sup> Pre-inspection report for Rule 77 package 10 provided to the Defence of Laurent Gbagbo on 9 November 2012.