



Original: **English**

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

Date: 25 April 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

**Prosecution's Communication of Incriminatory Evidence Disclosed to the Defence
on 25 April 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

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

The Office of the Prosecutor ("Prosecution") herewith notifies Pre-Trial Chamber I ("Chamber") of its disclosure, on 25 April 2012, to the Defence team of Laurent Gbagbo, of 45 incriminating documents.¹

In Pre-Confirmation INCRIM Package 7 the Prosecution disclosed to the Defence 12 video excerpts and one document, pursuant to Pre-Trial Chamber I's Decision of 20 April 2012.² Eleven of the videos contain redactions to the metadata as authorised by the Single Judge.³ The Prosecution also disclosed to the Defence 22 transcripts and translations related to the video excerpts mentioned above.

In Pre-Confirmation INCRIM Package 8 the Prosecution disclosed to the Defence material related to Witness CIV-OTP-P-0108, with redactions as authorised by the Single Judge.⁴ These documents were disclosed following the implementation of the relevant protective measures for this witness, as discussed during the status conference of 20 March 2012.⁵ In addition, 5 transcripts and translations of previously disclosed video excerpts were also disclosed to the Defence.



Luis Moreno-Ocampo, Prosecutor

Dated this 25th day of April 2012

At The Hague, The Netherlands

¹ 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 referred to in the annex 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-02/11-01/11-97, p.10.

³ *Ibid.*

⁴ ICC-02/11-01/11-74-Red, p.37 and ICC-02/11-01/11-74-Conf-Exp-Anx, p.122.

⁵ ICC-02/11-01/11-T-5-CONF-EXP ENG, p 17, ln.10-p.18, ln.20.