



Original: **English**

No.: ICC-02/11-01/11  
Date: 13 February 2012

**PRE-TRIAL CHAMBER III**

**Before:** Judge Silvia Fernández de Gurmendi, Presiding Judge  
Judge Elizabeth Odio Benito  
Judge Adrian Fulford

**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 13 February 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**

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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**

The Office of the Prosecutor ("Prosecution") herewith notifies Pre-Trial Chamber III ("Chamber") of its disclosure, on 13 February 2012,<sup>1</sup> to the Defence team of Laurent Gbagbo, of 10 incriminating documents.<sup>2</sup>

Pursuant to the Chamber's order of 24 January 2012,<sup>3</sup> the Prosecution provided the Defence with Pre-Confirmation INCRIM Package 3, which contains the documents collected between 25 October 2011 and 24 January 2012 for which no protective measures are required and on which the Prosecution intends to rely at the confirmation hearing. These documents were provided in a format that is compatible with the e-Court protocol approved by the Chamber.

Pre-Trial INCRIM Package 3 contains 10 documents.



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Luis Moreno-Ocampo, Prosecutor

Dated this 13<sup>th</sup> day of February 2012

At The Hague, The Netherlands

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<sup>1</sup> The Defence was not available to take possession of the disclosure on 10 February 2012 as per the calendar (ICC-02/11-01/11-30).

<sup>2</sup> Consistent with the agreement between the Prosecution and the Defence, the element-based chart, linking the documents to the elements of the charges pursuant to Annex III of decision ICC-02/11-01/11-30, which was also provided to the Defence, 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.

<sup>3</sup> ICC-02/11-01/11-30, p. 29.