



Original: **English**

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

Date: 16 January 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 15 January 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

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 notifies Pre-Trial Chamber I ("Chamber") of its disclosure, on 15 January 2013, to the Defence team of Laurent Gbagbo, of 54 incriminating documents¹ pursuant to the Chamber's Decisions of 14 December 2012² and 10 January 2013³. The incriminating evidence was provided in a format that complies with the e-Court protocol approved by the Pre-Trial Chamber.
2. This disclosure package includes 35 documents that have been obtained from the e-mails of witness CIV-OTP-P-0069, four photographs, two documents obtained from the Presidential Residence and a video, among others.
3. The disclosure package also contains the anonymous summary of the statement of witness CIV-OTP-P-0239, which was disclosed pursuant to the 10 January 2013 Decision.⁴
4. Thirteen of the 54 disclosed documents contain redactions to their metadata, as authorised by the Chamber in its 10 January 2013 Decision.⁵



Fatou Bensouda, Prosecutor

Dated this 16th day of January 2013

At The Hague, The Netherlands

¹ 20130115 Pre-Confirmation INCRIM Package 14. 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-02/11-01/11-325, p.14.

³ ICC-02/11-01/11-349-Red.

⁴ ICC-02/11-01/11-349-Red, para. 19.

⁵ ICC-02/11-01/11-349-Red, para. 13.