



Original: **English**

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

Date: **10 March 2015**

TRIAL CHAMBER I

Before: Judge Geoffrey Henderson, Presiding Judge
Judge Cuno Tarfusser
Judge Olga Herrera Carbuccion

SITUATION IN THE REPUBLIC OF CÔTE D'IVOIRE

IN THE CASE OF THE PROSECUTOR v. LAURENT GBAGBO

PUBLIC

With confidential Annexes A, B and C

**Prosecution's Communication of Evidence Disclosed to the Defence
On 9 March 2015**

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

Ms Fatou Bensouda

Mr James Stewart

Mr Eric Macdonald

Counsel for the Defence

Mr Emmanuel Altit

Ms Agathe Bahi Baroan

Legal Representatives of the Victims

Ms Paolina Massidda

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman von Hebel

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. The Office of the Prosecutor (“Prosecution” or “OTP”) notifies Trial Chamber I (“Chamber”) of its disclosure, on 9 March 2015,¹ of 114 incriminating items,² 10 potentially exculpatory items,³ and 47 documents disclosed pursuant to rule 77 of the Rules of Procedure and Evidence (“Rules”).⁴
2. Three documents⁵ contained in this package were re-disclosed with less redactions, pursuant to the decision of the Chamber dated 25 February 2015.⁶ The remaining documents were disclosed pursuant to the Prosecution’s request of 6 February 2015 for an extension of time to disclose certain material.⁷ Document CIV-OTP-0076-1509 disclosed as rule 77 of the Rules was provided pursuant to the Prosecution’s ongoing disclosure obligation.
3. 16 items disclosed as incriminating and six items disclosed pursuant to rule 77 of the Rules were disclosed with redactions to their image and/or metadata, in accordance with decision ICC-02/11-01/11-737 and its Annex (“Redaction Protocol”).
4. The disclosed material was provided in a format that complies with the eCourt protocol as approved at the Pre-Trial stage.⁸

Request for Confidentiality

5. Annexes A,⁹ B¹⁰ and C¹¹ appended to this communication contain the disclosure notes provided to the Defence. The Prosecution requests that these annexes be received as “Confidential” since they relate to *inter partes* disclosure.

¹ The Prosecution attempted to disclose the material referred to in this report on 6 March 2015 (as undertaken on 6 February 2015 – see ICC-02/11-01/11-760), but the Defence indicated that it was not available on that day to receive the said disclosure.

² 20150306 Pre-Trial INCRIM Package 40.

³ 20150306 Pre-Trial PEXO Package 24.

⁴ 20150306 Pre-Trial Rule 77 Package 38.

⁵ CIV-OTP-0053-0113, CIV-OTP-0053-0203 and CIV-OTP-0041-0534.

⁶ ICC-02/11-01/11-782-Red.

⁷ ICC-02/11-01/11-760.

⁸ ICC-02/11-01/11-30-AnxI.

⁹ Disclosure note for Pre-Trial INCRIM Package 40 provided to the Defence of Laurent Gbagbo on 9 March 2015.



Fatou Bensouda, Prosecutor

Dated this 10th day of March 2015

At The Hague, The Netherlands

¹⁰ Disclosure note for Pre-Trial PEXO Package 24 provided to the Defence of Laurent Gbagbo on 9 March 2015.

¹¹ Pre-inspection report for Pre-Trial rule 77 Package 38 provided to the Defence of Laurent Gbagbo on 9 March 2015.