

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/05-01/13**
Date: **10 January 2014**

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

**SITUATION IN THE CENTRAL AFRICAN REPUBLIQUE
IN THE CASE OF**

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIME KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDELE BABALA WANDU
AND NARCISSE ARIDO***

**Confidential Document
With Confidential Annexes A and B**

**Prosecution's Notice of Receipt of Communication from Dutch Authorities
Concerning Seized Material**

Source: The 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

Fatou Bensouda

James Stewart

Kweku Vanderpuye

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Jean-Pierre Kilenda Kakengi Basila

Counsel for Jean-Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Prof Jean-Pierre Fofé Djofia Malewa

Counsel for Narcisse Arido

Legal Representatives of Victims

Legal Representatives of Applicants

The Office of Public Counsel for Victims

The Office of Public Counsel for the Defence

States Representatives

Amicus Curiae

REGISTRY

Registrar

Herman von Hebel

Defence Support Section

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section

Other

I. Notice

1. The Office of the Prosecutor ("Prosecution") hereby notifies the Chamber of its receipt of a communication from the authorities of the Kingdom of the Netherlands concerning the material seized in relation to the arrest of Jean-Jacques MANGENDA and Jean-Pierre BEMBA, attached at Confidential Annex A. Specifically, in the 2 January communication, the Investigative Judge responsible for the disposition of the seized material requests that the Prosecution submit a list of keywords to facilitate the Dutch authorities' search of the electronic data for relevant material for transmittal the Court.

II. Proposed course

2. As the 2 January communication describes a search process which would effectively disregard seized material not included within the requested keyword list¹, the Prosecution considers the Chamber's intervention and guidance necessary in this matter.

3. Although the use of keywords is perhaps the most effective way to vet the voluminous electronic data seized to identify material of relevance to the proceedings, the input of all the parties in developing a keyword list and relevance protocol may be the most efficient way forward in the circumstances. Such a list and protocol could be provided by the parties to the Chamber, which in turn, may provide a consolidated or joint list of search terms and appropriate protocol to the Dutch authorities, within its discretion.

¹ See Confidential Annex A, 2 January 2014.

4. The Prosecution is informed that the Dutch authorities are amenable to this course of action, but will need to receive the relevant information by 30 January 2014, when they have planned to execute the relevant searches. The Prosecution has attached at Confidential Annex B a proposed protocol and list of keywords concerning material it considers relevant to the proceedings.

5. Should the Chamber subscribe to the proposed course of action, the Prosecution notes that the parties' respective proposed lists and protocols should be submitted so as to ensure that the consolidated information can be timely transmitted to the Dutch authorities.



Fatou Bensouda,
Prosecutor

Dated this 10th January 2014

At The Hague, The Netherlands