

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13

Date: 7 February 2014

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF *THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE BABALA WANDU and NARCISSE ARIDO*

Confidential

**Decision transmitting to the parties a request from the Kingdom of Belgium
and establishing a deadline to provide keywords for the search of seized
material**

Decision 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

Florence Darques Lane

Counsel for Jean-Pierre Bemba Gombo

Nicholas Kaufman

Counsel for Aimé Kilolo Musamba

Ghislain Mabanga

Counsel for Jean-Jacques Mangenda Kabongo

Jean Flamme

Counsel for Fidèle Babala Wandu

Jean-Pierre Kilenda Kakengi Basila

Legal Representatives of Victims

Legal Representatives of Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

**The Office of Public Counsel for
Victims**

The Office of Public Counsel for the Defence

States Representatives

Competent authorities of the
Kingdom of Belgium

Others

REGISTRY

Registrar

Herman von Hebel

Detention Section

Victims and Witnesses Unit

Others

**Victims Participation and
Reparations Section**

I, Judge Cuno Tarfusser, having been designated as Single Judge of Pre-Trial Chamber II of the International Criminal Court;

NOTING the "Registry's transmission of the request of the Kingdom of Belgium dated 9 January 2014",¹ whereby the Registrar submits inter alia (i) that the Belgian authorities had requested the Court to provide a list of keywords to assist [them] to determine which seized items, in relation to Mr Aimé Kilolo Musamba's proceedings before the Court, could be transmitted to the Court" and (ii) requested instructions as to the keywords to be provided to the Belgian authorities;

NOTING articles 57(3)(c), 67(1)(b) and 69(5) of the Statute, rule 73 of the Rules of Procedure and Evidence and regulation 23bis of the Regulations of the Court;

CONSIDERING it appropriate that the Registry's Request and its annexes be disclosed to all the parties in these proceedings, notwithstanding the fact that the seized items pertain to Mr Kilolo only, in light of possible links to the other suspects in the case;

CONSIDERING that the request by the Belgian authorities appears aimed at efficiently identifying any material or information of a privileged nature, with a view to preventing undue access to it;

CONSIDERING, by the same token, that the Defence for Mr Kilolo, as well as the Prosecutor and the Defence teams of the other suspects in this case, are entitled to decide whether they wish to submit any key words for the purposes of the search of the seized material which may be used by and assist the Belgian authorities;

¹ ICC-01/05-01/13-82-Conf-Exp with confidential ex parte annexes 1 to 3.

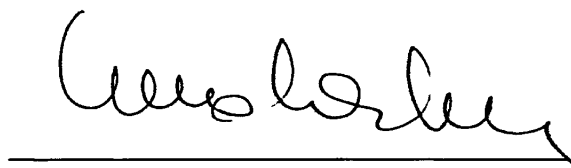
FOR THESE REASONS, THE SINGLE JUDGE HEREBY

DECIDES that the "Registry's transmission of the request of the Kingdom of Belgium dated 9 January 2014" (ICC-01/05-01/13-82-Conf-Exp), as well as its annexes, shall be reclassified as "confidential";

DECIDES that the Prosecutor and the Defence of Aimé Kilolo Musamba (as well as, if they so wish, the Defence for Jean-Pierre Bemba Gombo, the Defence of Mr Fidèle Babala Wandu and the Defence of Jean-Jacques Mangenda Kabongo) shall have until **Friday 14 February 2014** to submit any properly motivated keywords which may be used by and assist the Belgian authorities in identifying items of a privileged nature within the material seized upon the arrest of Mr Aimé Kilolo Musamba;

ORDERS the Registrar to promptly transmit to the competent authorities of the Kingdom of Belgium this decision, as well as any responses thereto which might be filed by any of the parties by Friday 14 February 2014.

Done in both English and French, the English version being authoritative.



Judge Cuno Tarfusser

Single Judge

Dated this Friday, 7 February 2014

The Hague, The Netherlands