

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/04-01/10

Date: 16 August 2011

**PRE-TRIAL CHAMBER I**

**Before:** Judge Sanji Mmasenono Monageng, Presiding Judge  
Judge Sylvia Steiner  
Judge Cuno Tarfusser

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

***IN THE CASE OF  
THE PROSECUTOR V. CALLIXTE MBARUSHIMANA***

**Public Document**

**Decision postponing the commencement of the confirmation hearing**

Decision to be notified, in accordance with Regulation 31 of the *Regulations of the Court*, to:

**The Office of the Prosecutor**

Mr Luis Moreno-Ocampo, Prosecutor  
 Ms Fatou Bensouda, Deputy Prosecutor  
 Mr Anton Steynberg, Senior Trial Lawyer

**Counsel for the Defence**

Mr Nicholas Kaufman  
 Ms Yaël Vias-Gvirsman

**Legal Representatives of Victims**

Mr Hervé Diakiese  
 Mr Mayombo Kassongo  
 Mr Ghislain Mabanga

**Unrepresented Victims**

**Legal Representatives of Applicants**

**Unrepresented Applicants for  
 Participation/Reparation**

**The Office of Public Counsel for  
 Victims**

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

Mr Xavier-Jean Keita

**States Representatives**

**Amicus Curiae**

**REGISTRY**

**Registrar**

Ms Silvana Arbia

**Deputy Registrar**

Mr Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
 Section**

**Others**

**Pre-Trial Chamber I** of the International Criminal Court (“Chamber” and “Court” respectively) hereby renders the following decision:

**NOTING** that the confirmation hearing in this case was set to commence on 17 August 2011;

**NOTING** articles 61 and 67 of the Rome Statute and rule 121(7) of the Rules of Procedure and Evidence (“Rules”);

**CONSIDERING** that disclosure related issues raised just prior to the confirmation have rendered it impossible to fairly conduct the confirmation hearing on the scheduled date;

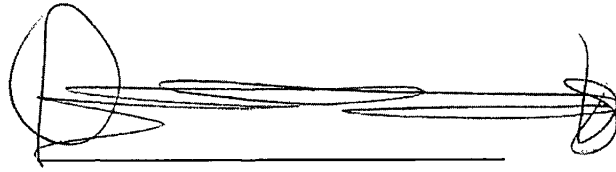
**CONSIDERING** that, in the interests of justice, it is appropriate for the Pre-Trial Chamber to postpone the confirmation hearing on its own motion;

**FOR THESE REASONS,**

**DECIDES** to postpone the commencement of the confirmation hearing to 16 September 2011; and

**NOTES** that the full reasoning behind the present decision will be released in the forthcoming “Decision on the “Defence request to deny the use of certain incriminating evidence at the confirmation hearing” and postponement of confirmation hearing”.

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

A handwritten signature in black ink, consisting of a large loop on the left and a series of horizontal strokes extending to the right, ending in a small circular flourish.

**Judge Sanji Mmasenono Monageng**

**Presiding Judge**

Two handwritten signatures in black ink. The signature on the left is for Judge Sylvia Steiner, featuring a large, stylized 'S' and 't'. The signature on the right is for Judge Cuno Tarfusser, featuring a series of connected loops and a long horizontal stroke at the end.

**Judge Sylvia Steiner**

**Judge Cuno Tarfusser**

Dated this Tuesday, 16 August 2011

At The Hague, The Netherlands