

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/10
Date: 25 January 2011

PRE-TRIAL CHAMBER I

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

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public Document

Order scheduling the first appearance of Mr Callixte Mbarushimana

Order 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

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**

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);

NOTING that on 28 September 2010 the Chamber issued the “Decision on the Prosecutor’s Application for a Warrant of Arrest against Callixte Mbarushimana”;¹ and subsequently the warrant of arrest against Mr Callixte Mbarushimana (“Mr Mbarushimana”); and that on 11 October 2010, pursuant to this warrant of arrest, Mr Mbarushimana was arrested in France;

NOTING that on 4 January 2011 the French Court of Cassation authorized the surrender of Mr Mbarushimana to the Court;²

NOTING that the Registrar has confirmed that Mr Mbarushimana has been accordingly surrendered to the representatives of the Court, and that he is currently in their custody at the Court’s detention centre at The Hague;

NOTING articles 60(1) and 67 of the Rome Statute (“Statute”), rule 121(1) of the Rules of Procedure and Evidence (“Rules”) and regulations 20 and 21 of the Regulations of the Court (“Regulations”);

NOTING that pursuant to rule 121(1) of the Rules, Mr Mbarushimana is to appear before the Chamber promptly upon arriving at the Court;

NOTING that pursuant to regulation 21(1) of the Regulations, the publicity of hearings may extend beyond the courtroom;

¹ ICC-01/04-01/10-7.

² Information from the French authorities in relation to the surrender of Callixte Mbarushimana, 14 January 2011, ICC-01/04-01/10-34-Conf.

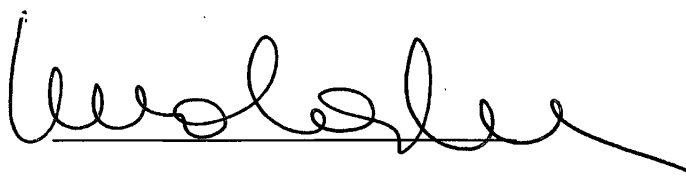
FOR THESE REASONS

DECIDES to convene a public hearing on 28 January 2011 at 9h30, at which Mr Mbarushimana shall appear before the Chamber in the presence of the Prosecutor and the Defence Counsel or the Head of the Office of Public Counsel for the Defence;

DECIDES to authorise the Registrar to inform external photographers that they will be authorised to take photographs in the Courtroom for a period of one minute immediately after all the participants have taken their seats;

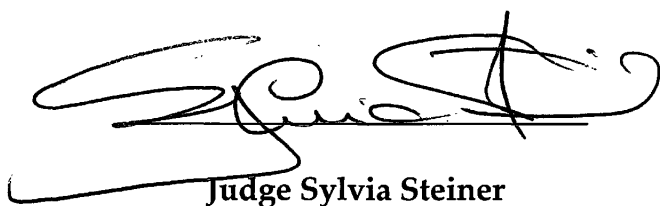
ORDERS the Registrar to notify this Decision to Mr Mbarushimana and to his Defence Counsel.

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

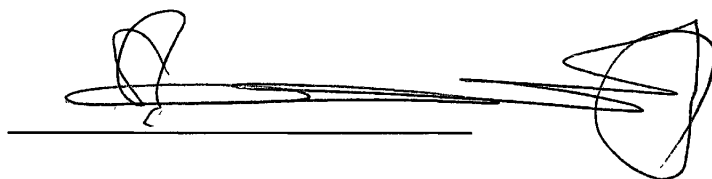


Judge Cuno Tarfusser

Presiding Judge



Judge Sylvia Steiner



Judge Sanji Mmasenono Monageng

Dated this Tuesday, 25 January 2011

At The Hague, The Netherlands