

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

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

Date: 25 May 2011

**PRE-TRIAL CHAMBER I**

**Before: Judge Sanji Mmasenono Monageng, Single Judge**

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO  
IN THE CASE OF  
*THE PROSECUTOR v. CALLIXTE MBARUSHIMANA***

**Public**

**With confidential annexes available to the Defence and the Prosecutor,  
and Legal Representative of the applicants**

**First transmission to the parties and legal representative of redacted versions of  
applications to participate in the proceedings**

**Source: Registry**

Document 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  
Mrs. Fatou Bensouda, Deputy Prosecutor  
Mr Anton Steynberg, Senior Trial Lawyer

**Counsel for the Defence**

Mr Nicholas Kaufman  
Ms. Yael Vias-Gvirsman

**Legal Representatives of Victims**

**Legal Representatives of Applicants**

Mr Hervé Diakiese

**Unrepresented Victims**

**Unrepresented Applicants for  
Participation/Reparation**

**The Office of Public Counsel for  
Victims**

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

**States' Representatives**

**Amicus Curiae**

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**REGISTRY**

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**Registrar**

Ms Silvana Arbia

**Counsel Support Section**

**Deputy Registrar**

Mr Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

Ms Fiona McKay

**Other**

**The Registrar of the International Criminal Court (the “Court”);**

NOTING article 68(1) and (3) of the Rome Statute, rule 89 of the Rules of Procedure and Evidence, regulations 86 and 23 *bis* of the Regulations of the Court;

NOTING the Decision of Pre-Trial Chamber I (“the Chamber”) on the Prosecutor's Application for a Warrant of Arrest against Callixte Mbarushimana;<sup>1</sup>

NOTING the Chamber’s Warrant of Arrest for Callixte Mbarushimana;<sup>2</sup>

NOTING the Order dated 15 March 2011 in which the Chamber instructed the Registry “to transmit to the Chamber complete applications for participation as victims in the proceedings at the pre-trial stage of the case, including in the confirmation of the charges hearing, as soon as practicable and no later than 45 days before the day of the commencement of the confirmation of charges hearing (the “Order”);<sup>3</sup>

NOTING the First Transmission to the Pre-Trial Chamber of applications to participate in the proceedings, filed by the Registry;<sup>4</sup>

NOTING the Decision requesting the Parties to submit observations on 14 applications for victims’ participation in the proceedings, dated 24 May 2011, in which the Chamber instructed the Registry “to provide, no later than 25 May 2011, at

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<sup>1</sup>Decision on the Prosecutor's Application for a Warrant of Arrest against Callixte Mbarushimana, 28 September 2010, ICC-01/04-01/10-1.

<sup>2</sup>Warrant Arrest for Callixte Mbarushimana, 28 September 2010, ICC-01/04-01/10-2.

<sup>3</sup> Order setting a deadline for the transmission of applications for victims' participation, 15 March 2011, ICC-01/04-01/10-78.

<sup>4</sup> First Transmission to the Pre-Trial Chamber of applications to participate in the proceedings, 20 May 2011, ICC-01/04-01/10-166.

1600 hours a) the Prosecution with non-redacted copies of the 14 Applications; and b) the Defence with redacted copies of the 14 Applications.”<sup>5</sup>

**NOTING** the instructions of the Chamber to notify the redacted versions of the applications to the Prosecutor and to the legal representatives of the relevant applicants;<sup>6</sup>

**CONSIDERING** that the Registry redacted the aforementioned 14 applications in accordance with the redaction guidelines transmitted to the Chamber.<sup>7</sup>

**CONSIDERING** that the annexed applications contain information which could serve to identify the applicants or other persons potentially at risk who are mentioned in the application forms, and for that reason are classified by the Registry as confidential;

**GRANTS** access to the Prosecutor to the unredacted version of the 14 applications;<sup>8</sup>

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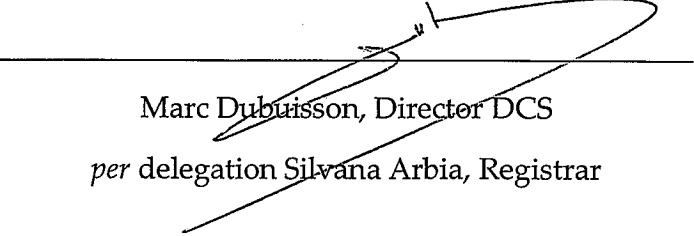
<sup>5</sup>Decision requesting the Parties to submit observations on 14 applications for victims' participation in the proceedings, 24 May 2011, ICC-01/04-01/10-181.

<sup>6</sup> Email from the Legal officer of the Pre-Trial Division to the Legal Coordinator of the Division of Court Services on 25 May 2011.

<sup>7</sup> Email from the Chief of the Victims Participation and Reparations Section to the Legal Officer of the Pre-Trial Division on 13 May 2011.

<sup>8</sup> ICC-01/04-01/10-166-Conf-Exp-Anx1 to ICC-01/04-01/10-166-Conf-Exp-Anx14

TRANSMITS to the Defence, the Prosecutor, and the legal representative of applicants a/2000/11, a/2006/11 to a/2008/11, redacted version of the 14 applications;



Marc Dubuisson, Director DCS  
*per* delegation Silvana Arbia, Registrar

Dated this 25 May 2011

At The Hague, Netherlands