



Original: English

No.: ICC-01/04-01/10
Date: 12 September 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

**Transmission of the observations made pursuant to regulation 51 of the
Regulations of the Court**

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
 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 the Victims

Mr Hervé Diakiese
 Mr Mayombo Kassongo
 Mr Ghislain Mabanga

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
 (Participation/Reparation)**

**The Office of Public Counsel for
 Victims**

Ms Paolina Massidda

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

Mr Xavier-Jean Keita

States' Representatives

Competent authorities of the French
 Republic and the Kingdom of the
 Netherlands

Amicus Curiae

REGISTRY

Registrar

Ms Silvana Arbia

Deputy Registrar

Mr Didier Preira

Counsel Support Section

Victims and Witnesses Unit

Detention Section

THE REGISTRAR of the International Criminal Court (“the Court”)

NOTING the *Decision requesting observations on the “Third Defence request for interim release interim release”* dated 19 August 2011;¹

NOTING article 87(1)(a) of the Rome Statute, rule 176 of the Rules of Procedure and Evidence and regulation 51 of the Regulations of the Court;

CONSIDERING that the Chamber directed the Registrar to notify the decision to the Host State authorities and the authorities of the Republic of France;

CONSIDERING that the Chamber invited the above-mentioned authorities to file their observations by 9 September 2011;

CONSIDERING that the French authorities indicated that their observations should be classified confidential;

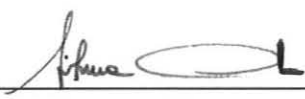
INFORMS the Chamber as follows:

1. The Registry notified the Host State authorities on 23 August 2011 and the French authorities on 25 August 2011.
2. The Host State authorities transmitted their observations on 25 August 2011. The French authorities transmitted their observations on 9 September 2011.

¹ ICC-01/04-01/10-384

TRANSMITS in annex

- The *note verbale* to the French authorities (Annex 1);
- The observations from the French authorities (Annex 2);
- The observations of the Host State (Annex 3);
- The *note verbale* to the Host State authorities and the record of notification (Annex 4).



Silvana Arbia, Registrar

Dated this 12 September 2011

At The Hague, Kingdom of the Netherlands