

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/04-01/10  
Date: 23 November 2011

**PRE-TRIAL CHAMBER I**

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

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

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

**Public**

**Order to the Defence for an Expedited Response to the "Prosecution's Notice that it no longer relies on the statement of Prosecution Witness 692 to support the confirmation of charges"**

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 Yael Vias Gvirsman

**Legal Representatives of Victims**

Mr Kassongo Mayombo  
 Mr Ghislain Mabanga

**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**

**Amicus Curiae**

**REGISTRY**

---

**Registrar**

Ms Silvana Arbia

**Deputy Registrar**

Mr Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
 Section**

**Others**

**I, Judge Sanji Mmasenono Monageng**, the Single Judge of Pre-Trial Chamber I (“Chamber”) of the International Criminal Court (“Court”) responsible for carrying out the functions of the Chamber in relation to the case of *The Prosecutor v. Callixte Mbarushimana*;<sup>1</sup>

**NOTING** the “Prosecution’s Notice that it no longer relies on the statement of Prosecution Witness 692 to support the confirmation of charges”, filed on 21 November 2011 (“Prosecution Notice”);<sup>2</sup>

**NOTING** regulations 24 and 34 of the Regulations of the Court;

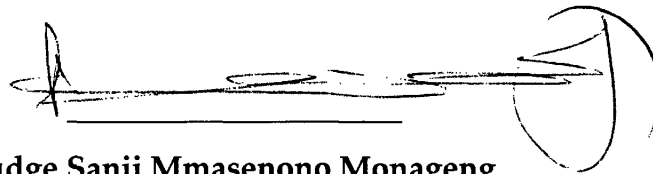
**CONSIDERING** that the Prosecution Notice relates to evidence currently under consideration for the Chamber’s pending decision on the confirmation of charges;

**CONSIDERING** therefore that the Defence’s response to the Prosecution Notice, if any, should be filed on an expedited basis;

### **FOR THESE REASONS**

**ORDER** that the Defence’s response to the Prosecution Notice, if any, must be filed by 16:00 on Thursday, 24 November 2011.

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



**Judge Sanji Mmasenono Monageng**

**Single Judge**

Dated this Wednesday 23 November 2011

At The Hague, The Netherlands

<sup>1</sup> Oral Decision of the Chamber, 28 January 2011, ICC-01/04-01/10-T-1-ENG, p.11.

<sup>2</sup> ICC-01/04-01/10-456.