



Original: **English**

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

Date: **01/06/2011**

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
with Confidential Annexes 1,2,3&4**

**Provision of evidence in support of the
Defence request for a permanent stay of proceedings**

Source: Defence for Mr. Callixte Mbarushimana

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

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented
 (Participation/Reparation)**

Applicants

**The Office of Public Counsel for
 Victims**

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

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms. Silvana Arbia

Defence Support Section

Deputy Registrar

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
 Section Other**

The Defence hereby submits, by way of confidential annexes, certain items referred to in the *Defence request for a permanent stay of proceedings*:¹

Confidential Annex 1 - DRC-OTP-2024-2440 (English)

Confidential Annex 2 – DRC-OTP-2024-2435 (German)

Confidential Annex 3 – DRC-OTP-2022-0627 (German – no English translation supplied by OTP)

Confidential Annex 4 – DRC-OTP-2022-0629 (German – no English translation supplied by OTP)

The Defence has no objection to these annexes being classified as public. Nevertheless, since these documents mention names and addresses of certain German intelligence officials, the Defence feels that it would be more appropriate to let the Prosecution decide the correct classification. The Defence has thus erred on the side of caution and presently classifies the items as confidential.



Nicholas Kaufman

Counsel for Callixte Mbarushimana

Jerusalem, Israel

Wednesday, June 01, 2011

¹ ICC-01/04-01/10-177.