



Original: English

No.: ICC-01/04-01/10  
Date: 9 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**  
**Annex 1 confidential**  
**Annex 2 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**

**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**

**Victims Participation and Reparations  
 Section**

**Other**

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

**NOTING** the *Decision requesting observations on interim release* dated 12 August 2011;<sup>1</sup>

**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 said authorities to file their observations by 9 September 2011;

**CONSIDERING** that the French authorities have indicated that the level of classification for their observations is confidential.

**INFORMS** the Chamber as follows:

1. The Registry notified the Host State authorities on 17 August 2011 and the French authorities on 23 August 2011.
2. The Host State authorities transmitted their observations on 25 August 2011. The French authorities transmitted their observations on 31 August 2011.

---

<sup>1</sup> ICC-01/04-01/10-360

TRANSMITS in annex:

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



---

Didier Pereira, Deputy Registrar for  
Silvana Arbia, Registrar

Dated this 9 September 2011

At The Hague, Kingdom of the Netherlands