

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/04-01/10  
Date: 23 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**

**With confidential *Ex parte* Annexes 1 and 2  
Prosecution and Defence only**

**Second Registry Report on the assignment of EVD numbers to the list of documents to be used by the parties for the purposes of the confirmation hearing**

**Source: REGISTRAR**

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. Yael Vias-Gvirsman

**Legal Representatives of the Victims**

Me Mayombo Kassongo  
 Me 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**

**States' Representatives**

**Amicus Curiae**

**REGISTRY**

---

**Registrar**

Silvana Arbia

**Deputy Registrar**

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 *"Resubmission of the Prosecution's list of evidence in compliance with decision ICC-01/04-01/10-401"* ("Prosecution's List of Evidence") submitted on 8 September 2011;<sup>1</sup>

NOTING the *"Defence Submission of an Updated List of Evidence"* dated 9 September 2011 ("Defence's List of Evidence");<sup>2</sup>

NOTING the Chamber's instruction by email dated 13 September 2011;<sup>3</sup>

NOTING the *"Registry Report on the assignment of EVD numbers to the list of documents to be used by the parties for the purposes of the confirmation hearing"* dated 15 September 2011 ("Registry's Report");<sup>4</sup>

NOTING that in the list of documents provided by the parties, several ERN numbers were either incorrectly referenced, duplicated, or there was a doubt in relation to the ERN reference provided;<sup>5</sup>

---

<sup>1</sup> ICC-01/04-01/10-403 with confidential annex 1 to 4 and public annex 5

<sup>2</sup> ICC-01/04-01/10-405 with corrigendum of confidential annexe A

<sup>3</sup> See email exchange dated from 13 September 2011 between the Legal Officer from the Chamber and the Courtroom Officer in which both parties were on copy

<sup>4</sup> ICC-01/04-01/10-424 with confidential annexes 1 and 2

<sup>5</sup> Items 577, 578, 699, 719, 729, 730, 731, 732, 828, 844, 858, 990 of the Prosecution List of documents and items 5, 6, 9, 22, 23, 24, 34, 44, 47, 48, 94, 114, 132 of the Defence List of documents.

**NOTING** the email exchanges related to the questions on EVD numbers assigned to the list of documents provided by the parties on 22 September 2011;<sup>6</sup>

**NOTING** rules 15 and 63(2) of the Rules of Procedure and Evidence; regulation 23*bis* of the Regulations of the Court; and regulations 28 and 53 of the Regulations of the Registry;

**CONSIDERING** that the Chamber instructed the Registry to assign EVD-PT numbers to the list of documents to be used for the purposes of the confirmation hearing.

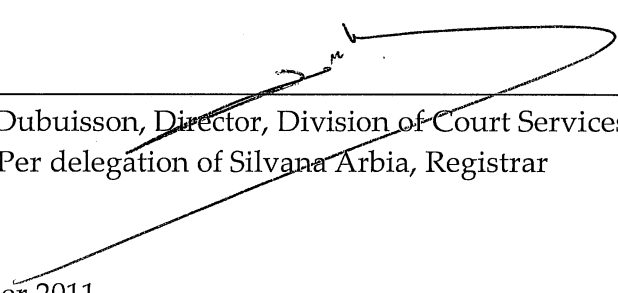
**CONSIDERING** that due to the clarifications submitted by the parties the assignment of EVD-PT references previously attributed had to be reviewed.

---

<sup>6</sup> See email exchange dated from 22 September 2011 the Courtroom Officer, Defence and Prosecution teams in which the legal officers from the chamber were on copy

**SUBMITS** in confidential annexes 1 and 2 a table recapitulating the list of documents to be used for the purposes of the confirmation hearing including those corrected ERN numbers with the newly assigned EVD-PT numbers;

**INFORMS** the Chamber that annexes 1 and 2 to this report will be classified as confidential *ex parte* Prosecution and Defence only because the title of some of the documents in both annexes refer to confidential information.



---

Marc Dubuisson, Director, Division of Court Services  
Per delegation of Silvana Arbia, Registrar

Dated this 23 September 2011

At The Hague, The Netherlands