

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 2 August 2011

PRE-TRIAL CHAMBER I

Before: Judge Sanji Mmasenono Monageng, Single Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public

**Order requesting the parties to submit views and proposals on the schedule of the
confirmation hearing**

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

Ms Fatou Bensouda

Mr Anton Steynberg, Senior Trial Lawyer

Counsel for the Defence

Mr Nicholas Kaufman

Ms. Yael Vias-Gvirsman

Legal Representatives of Victims

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 Other**

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

NOTING the “Decision on the Prosecution’s request for the postponement of the confirmation hearing” dated 31 May 2011, whereby the Chamber inter alia decided to postpone the commencement of the confirmation hearing to 17 August 2011 and its end to no later than Wednesday, 24 August 2011;²

NOTING article 61 of the Rome Statute (“Statute”) and rule 122 of the Rules of Procedure and Evidence (“Rules”);

CONSIDERING it appropriate to obtain the views and proposals of the Prosecutor and the Defence prior to establishing the detailed final schedule of the confirmation hearing;

CONSIDERING it appropriate, in particular, to obtain information as to whether either party intends to raise objections or make observations concerning issues related to the proper conduct of the proceedings prior to the confirmation hearing pursuant to rule 122(3) of the Rules;

CONSIDERING it likewise appropriate to obtain information as to whether either party wishes to call viva voce witnesses for their questioning at the confirmation hearing and, in the affirmative, as to the subject matter and scope of their proposed questioning;

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

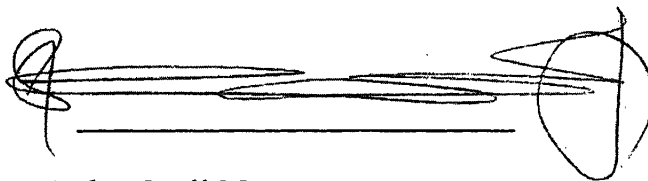
² ICC-01/04-01/10-207.

FOR THESE REASONS,

ORDER the Prosecutor and the Defence to submit by Thursday 4 August 2011 their views and proposals on the schedule of the confirmation hearing, by detailing in particular the following:

- (i) whether they intend to raise objections or make observations concerning an issue related to the proper conduct of the proceedings pursuant to rule 122(3) of the Rules;
- (ii) whether they intend to hear viva voce witnesses (in the affirmative, they should submit a list containing the witnesses' names, as well as a concise summary of the scope and subject matter of their proposed questioning);
- (iii) the estimate of time required for the presentation of their arguments on the merits and the questioning of the witnesses, if any.

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



Judge Sanji Mmasenono Monageng

Single Judge

Dated this Tuesday, 2 August 2011

At The Hague, The Netherlands