



Original: **English**

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

Date: **24/05/2011**

THE APPEALS CHAMBER

Before:

Judge Sang-Hyun Song, President
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Daniel David Ntanda Nsereko
Judge Anita Usacka

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public Document

Defence request for an extension of the time limit for filing the document in support of its appeal against Pre-Trial Chamber I's Decision: ICC-01/04-01/10-163

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

Applicants

(Participation/Reparation)

The Office of Public Counsel for the Victims

The Office of Public Counsel for the Defence

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Ms. Silvana Arbia

Defence Support Section

Deputy Registrar

Mr. Didier Preira

Victims and Witnesses Unit

Detention Section

Victims Participation and Reparations Section Other

Still being of sufficient youth and subject to the terms of his demobilization from compulsory service, herein undersigned Counsel for the Defence is required, by law, to perform, from time to time, military reserve duty.

Counsel has today – 24 May 2011 at 15:00 - been summoned by telephone to such military reserve duty on Thursday 26 May 2011. The written summons will be produced, in due course, by way of a confidential annex.

Given this unforeseen circumstance, Counsel will lose one day in which he may prepare the document in support of the Defence appeal against Pre-Trial Chamber's I Decision on the Defence request for interim release.¹

Accordingly, Counsel submits that good cause is shown under Regulation 35(2) of the Regulations of the Court for extending the time limit for filing the document in support of the appeal by one day.

Counsel requests that the learned Appeals Chamber permit him to file the document in support of the appeal on Monday 30 May 2011, no later than 10:00 (Netherlands time) as opposed to Friday 27 May 2011 at 16:00 (Netherlands time).



Nicholas Kaufman

Counsel for Callixte Mbarushimana

Done in Jerusalem, Israel

Tuesday, May 24, 2011

¹ ICC-01/04-01/10-163.