



Original: English

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

Date: 26 May 2011

THE APPEALS CHAMBER

Before: Judge Anita Ušacka, Presiding Judge
Judge Sang-Hyun Song
Judge Akua Kuenyehia
Judge Erkki Kourula
Judge Daniel David Ntanda Nsereko

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR v. CALLIXTE MBARUSHIMANA

Public Document

**Prosecution's response to Defence request for extension of time limit
(ICC-01/04-01/10-182)**

Source: Office of the Prosecutor

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Counsel for the Defence

Mr Nicholas Kaufman

Ms Yaël 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

Defence Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

1. On 24 May 2011, Counsel for Callixte Mbarushimana submitted the “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” (“Defence Request”).¹ Counsel requests a limited extension of the time limit (until 30 May 2011, no later than 10 a.m.) in order to comply with his legal military reserve duty.
2. The Prosecution concurs that compliance by Counsel with this legal duty constitutes good cause pursuant to Regulation 35(2) and does not object to the Defence Request, subject to the submission to the Appeals Chamber of written proof of the summons referred to in the Defence Request.



Luis Moreno-Ocampo,
Prosecutor

Dated this 26th day of May 2011
At The Hague, The Netherlands

¹ ICC-01/04-01/10-182.