

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

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

Date: 5 July 2011

PRE-TRIAL CHAMBER I

Before: Judge Cuno Tarfusser, Single Judge

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO
IN THE CASE OF
*THE PROSECUTOR v. CALLIXTE MBARUSHIMANA***

Public

**With confidential annexes available to the Defence and the Prosecutor,
and the Legal Representatives of the applicants**

**Second transmission to the parties and legal representatives of redacted versions
of applications to participate in the proceedings**

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
Mrs. Fatou Bensouda, Deputy Prosecutor
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

Mr Mayombo Kassongo
Mr Ghislain Mabanga

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

Counsel Support Section

Deputy Registrar

Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Ms Fiona McKay

Other

The Registrar of the International Criminal Court (the "Court");

NOTING the Decision of Pre-Trial Chamber I on the Prosecutor's Application for a Warrant of Arrest against Callixte Mbarushimana;¹

NOTING the Chamber's Warrant of Arrest for Callixte Mbarushimana;²

NOTING the designation of Judge Cuno Tarfusser as Single Judge of Pre-Trial Chamber I ("Chamber") of the International Criminal Court ("Court") responsible for carrying out the functions of the Chamber in relation to proceedings in the situation in the DRC and any case emanating therefore, for each time of unavailability of Single Judge Sanji Mmasenono Monageng;³

NOTING the Decision of the Chamber on 31 May 2011 postponing the commencement of the confirmation hearing to 17 August 2011 and its end to no later than Wednesday 24 August 2011 and ordering the Victims Participation and Reparation Section to transmit to the Chamber complete applications for participation as victims in the proceedings at the pre-trial stage of the case no later than 30 June 2011;⁴

NOTING the Second transmission to the Chamber of 124 applications to participate in the proceedings, filed by the Registry;⁵

¹ ICC-01/04-01/10-1.

² ICC-01/04-01/10-2.

³ ICC-01/04-01/10-17.

⁴ ICC-01/04-01/10-207.

⁵ ICC-01/04-01/10-261.

NOTING the Second report on applications to participate in the proceedings filed by the Registry to the Chamber pursuant to regulation 86(5) of the Regulations of the Court;⁶

NOTING the Decision requesting the Parties to submit observations on 124 applications for victims' participation in the proceedings, dated 4 July 2011, in which the Chamber instructed the Registry "to provide, no later than 5 July 2011 , at 1600 hours a) the Prosecution with non-redacted, as well as redacted, copies of the 124 Applications; b) the Defence with redacted copies of the 124 Applications; c) the legal representatives with the redacted version of the applications submitted by the applicants whom they represent;"⁷

NOTING article 68(1) and (3) of the Rome Statute, rule 89 of the Rules of Procedure and Evidence, regulations 86 and 23 *bis* of the Regulations of the Court;

CONSIDERING that the Registry has redacted the aforementioned 124 applications in accordance with the redaction guidelines transmitted to the Chamber;⁸

CONSIDERING that the annexed applications contain information which could serve to identify the applicants or other persons potentially at risk who are mentioned in the application forms, and for that reason are classified by the Registry as confidential;

GRANTS access to the Prosecutor of the unredacted versions of the 124 applications;⁹

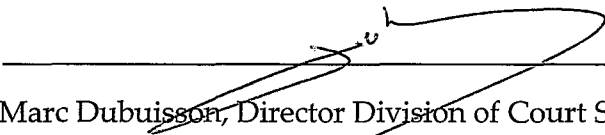
⁶ ICC-01/04-01/10-263-Conf-Exp.

⁷ ICC-01/04-01/10-265.

⁸ Email from the Chief of the Victims Participation and Reparations Section to the Legal Officer of the Pre-Trial Division on 13 May 2011.

⁹ ICC-01/04-01/10-166-Conf-Exp-Anx1 to ICC-01/04-01/10-166-Conf-Exp-Anx14.

TRANSMITS to the Defence, the Prosecutor, and the legal representatives of applicants redacted versions of the 124 applications.



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

Dated this 5 July 2011

At The Hague, Netherlands