



Original: **English**

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

Date: 15 July 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
URGENT**

**Prosecution's document containing the charges and List of Evidence submitted
pursuant to Article 61(3) and Rule 121(3)**

With Confidential Annexes A - E

Source: The Office of the Prosecutor

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

Office of the Prosecutor	Counsel for the Defence Nicholas Kaufman
Legal Representatives of the Victims	Legal Representatives of the Applicants
Unrepresented Victims	Unrepresented Applicants (Participation/Reparation)
The Prosecution of Public Counsel for Victims	The Prosecution of Public Counsel for the Defence
States' Representatives	Amicus Curiae
REGISTRY	
Registrar Silvana Arbia	Defence Support Section
Victims and Witnesses Unit	Detention Section
Victims Participation and Reparations Section	Other

1. The Prosecution files herewith its Document Containing the Charges ("DCC") and List of Evidence, submitted pursuant to Article 61(3) of the Rome Statute and Rule 121(3) of the Rules of Procedure and Evidence.
2. The annexes to this filing are arranged as follows:
 - a. Annex A contains the DCC, in French.
 - b. Annex B contains Part I of the List of Evidence, in French. This document links each factual statement in the DCC to the item(s) of evidence adduced to support it and the legal element(s) it is intended to prove.¹
 - c. Annex C contains Part II of the List of Evidence, in French. This comprises of an Excel document containing four spreadsheets listing telecommunications data relied upon in Part I and the associated Evidence Registration Numbers.
 - d. Annex D contains Part III of the List of Evidence, in French. This consists of a chart linking different versions of the FDLR press releases that are referred to in Part I above, which exist in different languages and which were recovered from different sources.
 - e. Annex E is an explanatory note giving certain additional information on the organisation of the telecommunications data contained in Annex C.
3. If required, the Prosecution can supply the Chamber and the Defence with English versions of the documents filed in French.



Luis Moreno-Ocampo, Prosecutor

Dated this 15th day of July 2011
At The Hague, The Netherlands

¹ As per the Chamber's instructions: ICC-04/01-01/10-87. The Prosecution reserves the right, however, to rely on items of evidence listed in support of a particular fact also to prove other facts alleged in the DCC.