



Original: **English**

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

Date: **24/11/2011**

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 Document with Public Annex A
URGENT**

**Request for leave to withdraw
pursuant to Regulation 78 of the Regulations of the Court**

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

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
 (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

Deputy Registrar

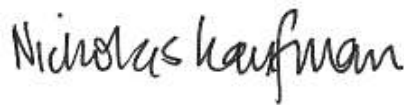
Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
 Section**

Other

1. On 23 November 2011, Mr. Callixte Mbarushimana notified herein undersigned Counsel that he wishes to appoint new lead counsel in the event that the charges against him should be confirmed. Mr. Mbarushimana's notification to Counsel is attached hereto as Annex A.
2. Furthermore, Mr. Mbarushimana informed Counsel that he wishes the new counsel to be acquainted with the case file well in advance and, accordingly, wishes for the Registry to effect the new appointment as soon as possible.
3. In light of the aforementioned and pursuant to Regulation 78 of the Regulations of the Court, Counsel requests the leave of the learned Pre-Trial Chamber to withdraw from the case.
4. Counsel undertakes to abide by all his duties under the Code of Professional Conduct and faithfully to transfer the case file to new counsel.



Nicholas Kaufman

Counsel for Callixte Mbarushimana

Jerusalem, Israel

Thursday, November 24, 2011