



Original: **French**

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

Date: **07/03/2012**

THE APPEALS CHAMBER

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

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

Public Document

Defence response to the Prosecutor's request for an extension of the page limit

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

Ms Fatou Bensouda, Deputy Prosecutor
Mr Fabricio Guariglia

Counsel for the Defence

Mr Arthur Vercken
Ms Yael Vias Gvirsman
Mr Philippe Larochelle

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants for
Participation/Reparation**

Office of Public Counsel for Victims

**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. Pursuant to the Appeals Chamber Order of 6 March 2012,¹ the Defence hereby responds to the “Prosecution’s Request for an Extension of the Page Limit for its Document in Support of Appeal against the ‘Decision on the confirmation of charges’”.²
2. The Defence sees no objection to the Prosecutor’s request being accorded for any page limit which the Appeals Chamber considers necessary.
3. By the same token, the Defence seeks leave to employ the same page limit accorded to the Prosecutor and a further thirty percent (+30%). Indeed, the Court interpreters will all confirm that the French language uses many more words than the English language, whose grammar allows for greater concision of drafting.
4. Finally, the Defence avails itself of this discussion on the length of the parties’ written submissions to recall the importance, in its view, of the translation of all documents concerning the appellate proceedings. Accordingly, as underscored by the Prosecutor in his request for an extension, their translation is all the more necessary insofar as the appellate proceedings raise new and complex issues.

[signed]

Arthur Vercken
Counsel for Mr Callixte Mbarushimana

Dated this Wednesday 22 March 2012

At Paris, France

¹ ICC-01/04-01/10-491.

² ICC-01/04-01/10-489, “Prosecution’s Request for an Extension of the Page Limit for its Document in Support of Appeal against ‘Decision on the confirmation of charges’ (ICC-01/04 01/10-465-Red)”.