

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

Original: English

No.: ICC-01/04-01/10  
Date: 25 January 2011

**PRE-TRIAL CHAMBER I**

**Before:** Judge Cuno Tarfusser, Presiding Judge  
Judge Sylvia Steiner  
Judge Sanji Mmasenono Monageng

**SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO**

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

**Public Document**

**Order scheduling the first appearance of Mr Callixte Mbarushimana**

Order 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 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**

Mr Xavier-Jean Keita

**States Representatives**

**Amicus Curiae**

**REGISTRY**

---

**Registrar**

Ms Silvana Arbia

**Deputy Registrar**

Mr Didier Preira

**Victims and Witnesses Unit**

**Detention Section**

**Victims Participation and Reparations  
Section**

**Others**

**PRE-TRIAL CHAMBER I** of the International Criminal Court (“Chamber” and “Court” respectively);

**NOTING** that on 28 September 2010 the Chamber issued the “Decision on the Prosecutor’s Application for a Warrant of Arrest against Callixte Mbarushimana”;<sup>1</sup> and subsequently the warrant of arrest against Mr Callixte Mbarushimana (“Mr Mbarushimana”); and that on 11 October 2010, pursuant to this warrant of arrest, Mr Mbarushimana was arrested in France;

**NOTING** that on 4 January 2011 the French Court of Cassation authorized the surrender of Mr Mbarushimana to the Court;<sup>2</sup>

**NOTING** that the Registrar has confirmed that Mr Mbarushimana has been accordingly surrendered to the representatives of the Court, and that he is currently in their custody at the Court’s detention centre at The Hague;

**NOTING** articles 60(1) and 67 of the Rome Statute (“Statute”), rule 121(1) of the Rules of Procedure and Evidence (“Rules”) and regulations 20 and 21 of the Regulations of the Court (“Regulations”);

**NOTING** that pursuant to rule 121(1) of the Rules, Mr Mbarushimana is to appear before the Chamber promptly upon arriving at the Court;

**NOTING** that pursuant to regulation 21(1) of the Regulations, the publicity of hearings may extend beyond the courtroom;

---

<sup>1</sup> ICC-01/04-01/10-7.

<sup>2</sup> Information from the French authorities in relation to the surrender of Callixte Mbarushimana, 14 January 2011, ICC-01/04-01/10-34-Conf.

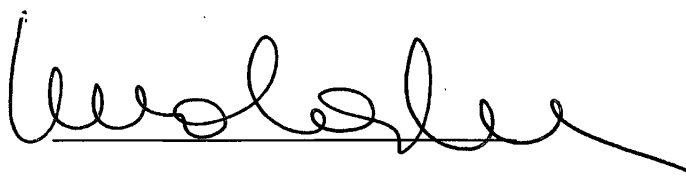
**FOR THESE REASONS**

**DECIDES** to convene a public hearing on 28 January 2011 at 9h30, at which Mr Mbarushimana shall appear before the Chamber in the presence of the Prosecutor and the Defence Counsel or the Head of the Office of Public Counsel for the Defence;

**DECIDES** to authorise the Registrar to inform external photographers that they will be authorised to take photographs in the Courtroom for a period of one minute immediately after all the participants have taken their seats;

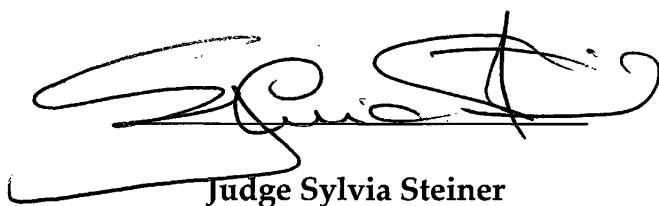
**ORDERS** the Registrar to notify this Decision to Mr Mbarushimana and to his Defence Counsel.

Done in English and French, the English version being authoritative.

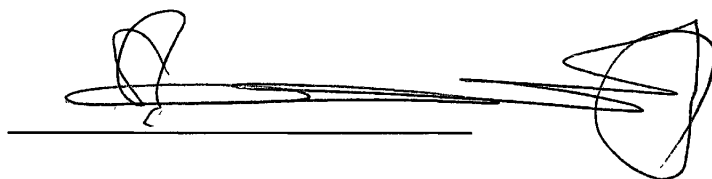


**Judge Cuno Tarfusser**

**Presiding Judge**



**Judge Sylvia Steiner**



**Judge Sanji Mmasenono Monageng**

Dated this Tuesday, 25 January 2011

At The Hague, The Netherlands