

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01.04-01/10

Date: 24 May 2011

PRE-TRIAL CHAMBER I

Before: Judge Sanji Mmasenono Monageng, Single Judge

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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

**Public Document
URGENT**

Order Setting a Time Limit for the Response of the Prosecution

Decision 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
Mr Fatou Bensouda, Deputy Prosecutor
Mr Anton Steynberg, Senior Trial Lawyer

Counsel for the Defence

Mr Nicholas Kaufman
Ms Yael Vias-Gvirsman

Legal Representatives of the Victims

Legal Representatives of the Applicants

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 & Deputy Registrar
Ms Silvana Arbia

Defence Support Section
Mr Didier Preira

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

I, Judge Sanji Mmasenono Monageng, the 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 the case of *The Prosecutor v. Callixte Mbarushimana*;¹

NOTING the “Defence request for a permanent stay of the proceedings” (“Defence Request”) filed on 24 May 2011,² wherein the Defence requests that the Chamber order the stay of the proceedings on the basis of an abuse of process;

NOTING regulations 24 and 34 of the Regulations of the Court (“Regulations”);

CONSIDERING that regulation 34 of the Regulations gives the Chamber the discretion to order the Prosecution to file a response to a Defence document within a time limit other than the 21 days provided for in regulation 34(b) of the Regulations;

CONSIDERING that in view of the proximity of the date of the confirmation hearing, scheduled to commence on 4 July 2011, it is appropriate to shorten the time limit for the Prosecution’s response to the Defence Request;


FOR THESE REASONS

GRANT the Prosecution until Friday, 3 June 2011, at 1600 hours to file its response to the Defence Request.

¹ Oral Decision of the Chamber, 28 January 2011, ICC-01/04-01/10-T-1-ENG, p.11

² ICC-01/04-01/10-177.

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



Judge Sanji Mmasenono Monageng
Single Judge

Dated this Tuesday, 24 May 2011

At The Hague, The Netherlands