

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/04-01/10
Date: 16 August 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

Decision postponing the commencement of the confirmation hearing

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

Counsel for the Defence

Mr Nicholas Kaufman
 Ms Yaël Vias-Gvirsman

Legal Representatives of Victims

Mr Hervé Diakiese
 Mr Mayombo Kassongo
 Mr Ghislain Mabanga

Unrepresented Victims

Legal Representatives of Applicants

**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) hereby renders the following decision:

NOTING that the confirmation hearing in this case was set to commence on 17 August 2011;

NOTING articles 61 and 67 of the Rome Statute and rule 121(7) of the Rules of Procedure and Evidence (“Rules”);

CONSIDERING that disclosure related issues raised just prior to the confirmation have rendered it impossible to fairly conduct the confirmation hearing on the scheduled date;

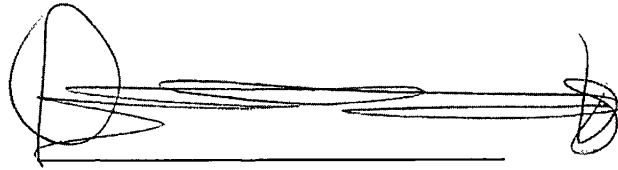
CONSIDERING that, in the interests of justice, it is appropriate for the Pre-Trial Chamber to postpone the confirmation hearing on its own motion;

FOR THESE REASONS,

DECIDES to postpone the commencement of the confirmation hearing to 16 September 2011; and

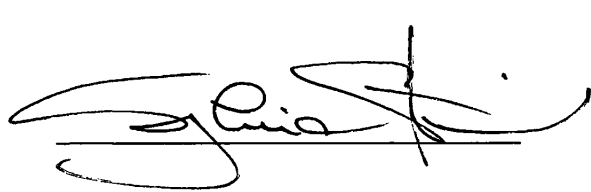
NOTES that the full reasoning behind the present decision will be released in the forthcoming “Decision on the “Defence request to deny the use of certain incriminating evidence at the confirmation hearing” and postponement of confirmation hearing”.

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



Judge Sanji Mmasenono Monageng

Presiding Judge



Judge Sylvia Steiner



Judge Cuno Tarfusser

Dated this Tuesday, 16 August 2011

At The Hague, The Netherlands