

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No. ICC-01/04-01/10 OA 3

Date: 19 December 2011

THE APPEALS CHAMBER

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

SITUATION IN THE DEMOCRATIC REPUBLIC OF THE CONGO

IN THE CASE OF THE PROSECUTOR v. CALLIXTE MBARUSHIMANA

URGENT

Public document

Order

**on the filing of a response to the request of the Prosecutor of 19 December 2011
for suspensive effect**

Order 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

REGISTRY

Registrar

Ms Silvana Arbia



The Appeals Chamber of the International Criminal Court,

In the appeal of the Prosecutor dated 19 December 2011 against the decision of Pre-Trial Chamber I entitled “Decision on the confirmation of charges” of 16 December 2011 (ICC-01/04-01/10-465-Red), and in the alternative against the decision of Pre-Trial Chamber I entitled “Decision on the Prosecution’s Request for stay of order to release Callixte Mbarushimana” of 19 December 2011 (ICC-01/04-01/10-469),

Noting the Prosecutor’s request for suspensive effect in the “Prosecution’s Appeal against ‘Decision on the confirmation of the charges’ and Request for Suspensive Effect; In the alternative, Prosecution’s Appeal against ‘Decision on the Prosecution’s Request for stay of order to release Callixte Mbarushimana’” of the Prosecutor of 19 December 2011 (ICC-01/04-01/10-470),

Pursuant to regulation 34,

Unanimously,

Issues the following

ORDER

Mr Mbarushimana may respond to the request for suspensive effect by Tuesday, 20 December 2011, 10am.

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



Judge Anita Ušacka
Presiding Judge

Dated this 19th of December 2011

At The Hague, The Netherlands