

MICT-12-15  
24/07/2012  
(0193-0192)



UNITED NATIONS  
NATIONS UNIES

ICTR-96-13  
18-07-2012  
(2351-2350)

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International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR: ENG

OFFICE OF THE PRESIDENT

**Before:** Judge Vagn Joensen  
*President of the Tribunal*

**Registrar:** Adama Dieng

**Date:** 18 July 2012

2012 JUL 18 P 5:22Z  
JUDICIAL REFERENCE SECTION  
ICTR

Re.

Elizaphan and Gérard NTAKIRUTIMANA, Cases No. ICTR-96-10 and ICTR-96-17

Alfred MUSEMA, Case No. ICTR-96-13 ✓

Clément KAYISHEMA et al., Case No. ICTR-95-1

Yussuf MUNYAKAZI, Case No. ICTR-97-36A

Ignace BAGILISHEMA, Case No. ICTR-95-1A

Mikaeli MUHIMANA, Case No. ICTR-95-1B

Siméon NCHAMIHIGO, Case No. ICTR-01-63

Aloys NDIMBATI, Case No. ICTR-95-1

Emmanuel NDINDABAHIZI, Case No. ICTR-01-71

Charles SIKUBWABO, Case No. ICTR-95-1D

Eliézer NIYITEGEKA, Case No. ICTR-96-14

ORDER REGARDING MUNGWARERE'S MOTIONS FOR ACCESS TO  
MATERIALS

**Office of the Prosecutor:**  
Hassan Bubacar Jallow  
James J. Arguin

**Counsel for Jacque Mungwarere, accused**  
**Before the jurisdiction of Canada**  
Phillipe Larochelle

Received by the Registry  
Mechanism for International Criminal Tribunals  
24/07/2012 17:43

*Diore prod*

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

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NAME / NOM: *Martha Hunt*

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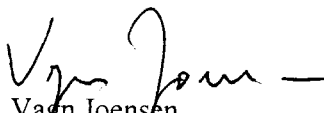

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1. On 28 May 2012, I, sitting pursuant to Rule 75 (I) of the Rules of Procedure and Evidence, ordered the Witnesses and Victims Support Section of the Tribunal ("WVSS") to consult a number of protected witnesses on Jacques Mungwarere's application for access to material identifying the witnesses.<sup>1</sup>
2. WVSS filed its submissions on 3 July 2012.<sup>2</sup>
3. Pursuant to United Nations Security Council Resolution 1966 (2010), as of 1 July 2012 all judicial or prosecutorial functions in relations to victims and witnesses protection pass to the Mechanism for International Criminal Tribunals ("MICT"). The competence to decide on Mungwarere's Motion, therefore, lies with MICT.<sup>3</sup>
4. Consequently, the filings in relations to the present matter shall be cross-filed before MICT.

**FOR THESE REASONS, I**

**DIRECT** the Registrar to facilitate the cross-filing of filings in relations to the present matter before MICT.

Arusha, 18 July 2012, done in English.

  
 Vagn Joensen  
 President  
  
 [Seal of the Tribunal]

<sup>1</sup> In *Re. Elizaphan and Gérard Ntakirutimana*, Cases No. ICTR-96-10 and ICTR-96-17, *Alfred Musema*, Case No. ICTR-96-13, *Clément Kayishema et al.*, Case No. ICTR-95-1, *Yussuf Munyakazi*, Case No. ICTR-97-36A, *Ignace Bagilishema*, Case No. ICTR-95-1A, *Mikaëli Muhimana*, Case No. ICTR-95-1B, *Siméon Nchamihigo*, Case No. ICTR-01-63, *Aloys Ndimbati*, Case No. ICTR-95-1, *Emmanuel Ndinabahizi*, Case No. ICTR-01-71, *Charles Sikubwabo*, Case No. ICTR-95-1D, *Eliézer Niyitegeka*, Case No. ICTR-96-14, Decision in Relation to Jacques Mungwarere's Motions for Access to Materials and Notice under Rule 67 (D), 28 May 2012.

<sup>2</sup> Registrar's Submissions in Respect of the "Decision in Relation to Jacques Mungwarere's Motions for Access to Materials and Notice under Rule 67 (D)", filed on 3 July 2012.

<sup>3</sup> S/RES/1966 (2010), 22 December 2010, paras. 1, 2 and Annex 2, Article 5. 4.

*Re. Elizaphan and Gérard Ntakirutimana*, Cases No. ICTR-96-10 and ICTR-96-17, *Alfred Musema*, Case No. ICTR-96-13, *Clément Kayishema et al.*, Case No. ICTR-95-1, *Yussuf Munyakazi*, Case No. ICTR-97-36A, *Ignace Bagilishema*, Case No. ICTR-95-1A, *Mikaëli Muhimana*, Case No. ICTR-95-1B, *Siméon Nchamihigo*, Case No. ICTR-01-63, *Aloys Ndimbati*, Case No. ICTR-95-1, *Emmanuel Ndinabahizi*, Case No. ICTR-01-71, *Charles Sikubwabo*, Case No. ICTR-95-1D, *Eliézer Niyitegeka*, Case No. ICTR-96-14



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