

INTERNATIONAL CRIMINAL TRIBUNAL  
FOR RWANDA

ICTR-05-86-T  
02-11-2009  
(2664-2652)

2664  
*[Signature]*

Case No. ICTR-2005-86-T

**BEFORE TRIAL CHAMBER III**

Before: Judge Vagn Joensen, Presiding  
Judge Bakhtiyar Tuzmukhamedov  
Judge Gberdao Gustave Kam

Registrar: Adama Dieng

2 November

Date filed: 30 October 2009



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RECEIVED  
*[Signature]*

**PROSECUTOR**

v.

**Michel BAGARAGAZA**

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PUBLIC

DEFENCE ADDENDUM TO ITS MOTION FOR ADMISSION OF WRITTEN EVIDENCE OF 27  
OCTOBER 2009  
WITH CONFIDENTIAL ANNEX

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**Office of the Prosecutor**

Wallace Kapaya  
Patrick Gabaake  
Iskander Ismael

**Defence for Michel Bagaragaza**

Geert-Jan Alexander Knoops  
Wayne Jordash  
Anne-Marie Verwiel

1. On 27<sup>th</sup> October 2009 the Defence for Michel Bagaragaza filed its “Defence Motion for Admission of Written Evidence” (the “Motion”). The Defence herewith files an addendum to this Motion, respectfully requesting the Trial Chamber to allow for the addition of the following three documents to its Motion.
2. Firstly, only the unsigned version of the witness statement of witness D10 has been included in the Confidential Annex to the Motion. The Defence herewith files the signed version of this witness statement, which is, apart from the signature, identical to the unsigned version.
3. Secondly, and as already announced in the Confidential Index to its Motion, the Defence herewith files proposed exhibit K.
4. Thirdly, an additional witness statement was obtained (witness D13) which statement has already been provided to the Prosecution. The Defence herewith files this witness statement with the Trial Chamber. The Prosecution has objected to parts of this statements in its confidential “Prosecutor’s Objection to the Admission of Written Statements and Other Documents in evidence in lieu of oral evidence” filed on 29<sup>th</sup> October 2009.
5. The Defence respectfully requests the honourable Trial Chamber to grant leave to add these three documents to its Motion for Admission of Written Evidence.

Respectfully submitted,

30 October 2009

  
Geert-Jan Alexander Knoops

Wayne Jordash



## TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

**COURT MANAGEMENT SECTION**  
(Art. 27 of the Directive for the Registry)

### I - GENERAL INFORMATION (To be completed by the Chambers / Filing Party)

<b>To:</b>	<input type="checkbox"/> Trial Chamber I N. M. Diallo	<input type="checkbox"/> Trial Chamber II R. N. Kouambo	<input checked="" type="checkbox"/> Trial Chamber III C. K. Hometowu	<input type="checkbox"/> Appeals Chamber / Arusha F. A. Talon
	<input type="checkbox"/> Chief, CMS J.-P. Fomété	<input type="checkbox"/> Deputy Chief, CMS M. Diop	<input type="checkbox"/> Chief, JPU, CMS M. Diop	<input type="checkbox"/> Appeals Chamber / The Hague R. Muzigo-Morrison K. K. A. Afande
<b>From:</b>	<input type="checkbox"/> Chamber  (names)	<input checked="" type="checkbox"/> Defence for Michel Bagaragaza  (names)	<input type="checkbox"/> Prosecutor's Office  (names)	<input type="checkbox"/> Other:  (names)
<b>Case Name:</b>	The Prosecutor vs. Michel Bagaragaza		<b>Case Number:</b> ICTR-2005-86-T <i>2 November</i>	
<b>Dates:</b>	Transmitted: 2 November 2009		Document's date: <del>30 October</del> 2009	
<b>No. of Pages:</b>	2		<b>Original Language:</b> <input checked="" type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda	
<b>Title of Document:</b>	Defence Addendum to its Motion for Admission of Written Evidence of 27 <sup>th</sup> October 2009			
<b>Classification Level:</b>		<b>TRIM Document Type:</b>		
<input type="checkbox"/> Ex-Parte <input type="checkbox"/> Strictly Confidential / Under Seal <input type="checkbox"/> Confidential <input checked="" type="checkbox"/> Public		<input type="checkbox"/> Indictment <input type="checkbox"/> Warrant <input type="checkbox"/> Correspondence <input type="checkbox"/> Decision <input type="checkbox"/> Affidavit <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Disclosure <input type="checkbox"/> Order <input type="checkbox"/> Appeal Book <input type="checkbox"/> Judgement <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Book of Authorities		
		<input type="checkbox"/> Submission from non-parties <input type="checkbox"/> Submission from parties <input checked="" type="checkbox"/> Accused particulars		

### II - TRANSLATION STATUS ON THE FILING DATE (To be completed by the Chambers / Filing Party)

**CMS SHALL** take necessary action regarding translation.

Filing Party hereby submits only the original, and **will not submit** any translated version.

Reference material is provided in annex to facilitate translation.

**Target Language(s):**

English  French  Kinyarwanda

**CMS SHALL NOT** take any action regarding translation.

Filing Party hereby submits **BOTH** the original and the translated version for filing, as follows:

Original	in	<input type="checkbox"/> English	<input type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda
Translation	in	<input type="checkbox"/> English	<input type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda

**CMS SHALL NOT** take any action regarding translation.

Filing Party will be submitting the translated version(s) in due course in the following language(s):

English  French  Kinyarwanda

**KINDLY FILL IN THE BOXES BELOW**

<input type="checkbox"/> <b>The OTP</b> is overseeing translation. The document is submitted for translation to: <input type="checkbox"/> The Language Services Section of the ICTR / Arusha. <input type="checkbox"/> The Language Services Section of the ICTR / The Hague. <input type="checkbox"/> An accredited service for translation; see details below: Name of contact person: Name of service: Address: E-mail / Tel. / Fax:	<input type="checkbox"/> <b>DEFENCE</b> is overseeing translation. The document is submitted to an accredited service for translation (fees will be submitted to DCDMS): Name of contact person: Name of service: Address: E-mail / Tel. / Fax:
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### III - TRANSLATION PRIORITISATION (For Official use ONLY)

<input type="checkbox"/> Top priority	<b>COMMENTS</b>  	<input type="checkbox"/> Required date:
<input type="checkbox"/> Urgent		<input type="checkbox"/> Hearing date:
<input type="checkbox"/> Normal		<input type="checkbox"/> Other deadlines: