



UNITED NATIONS
NATIONS UNIES

ICTR-01-69-A
14-05-2010
(6/A-5/A)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

6/A
1094

OR: ENG

IN THE APPEALS CHAMBER

Before: Judge Liu Daqun, pre-Appeal Judge

Registrar: Adama Dieng

Date: 14 May 2010

The Prosecutor

v.

Hormisdas NSENGIMANA

Cases No. ICTR-01-69-A
ICTR-2010-92

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**THE REGISTRAR'S SUBMISSION ON
THE DECISION ON SUBMISSIONS BY THE DEFENCE TEAM OF HORMISDAS
NSENGIMANA**

Office of the Prosecutor

Hassan Bubacar Jallow
Alex Obote-Odora
Abdoulaye Seye

Defence Counsel for Nsengimana

Emmanuel Altit
David Hooper

Interested Parties

Léonard Safari
Rémi Mazas

5/A

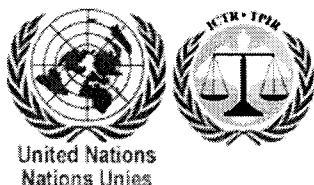
1. The Registrar makes the following submission pursuant to Rule 33(B) of the ICTR Rules of Procedure and Evidence (Rules).
2. The present submission relates to the Appeals Chamber's "*Decision on Submissions by the Defence Team of Hormisdas Nsengimana*" of 19 April 2010 and the subsequent "*Decision on Investigators' Request for extension of Time Pending translation of Appeals Submissions*" of 7 May 2010. The Chamber, although denying locus standi to the Defence Team of Hormisdas Nsengimana, went on nevertheless to afford the investigators Léonard Safari and Rémi Mazas the opportunity to respond to the Prosecutor's Brief filed on 17 February 2010.
3. Following the Registry's review of this Prosecutor's Brief, the understanding is that the remedy being sought by the Prosecutor is a determination on whether the Trial Chamber abused its discretion in deciding not to pursue possible contempt. The Registry is not clear whether the invitation to the two investigators allows them to enter into this legal dispute regarding the abuse of discretion by the Trial Chamber or just provide facts for their defence in anticipation of possible prosecution for contempt.
4. A clarification on what is expected of the two investigators would permit the Registrar to determine the necessity or not of appointing Counsel, at the Tribunal's expense, in the interest of justice. The Registrar seeks your guidance in this regard.

Respectfully submitted.

Arusha, 14 May 2010.



Adama Dieng
Registrar



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)

To:	<input checked="" type="checkbox"/> Trial Chamber I N. M. Diallo	<input type="checkbox"/> Trial Chamber II R. N. Kouambo	<input type="checkbox"/> Trial Chamber III C. K. Hometowu	<input type="checkbox"/> Trial Chamber III A. N'Gum
	<input type="checkbox"/> Chief, CMS J.-P. Fomété	<input type="checkbox"/> Appeals Chamber / Arusha Chamber II F. A. Talon		<input type="checkbox"/> Appeals Chamber / The Hague K. K. A. Afande R. Muzigo-Morrison
From:	<input type="checkbox"/> Chamber (names)	<input type="checkbox"/> Defence (names)	<input type="checkbox"/> Prosecutor's Office (names)	<input checked="" type="checkbox"/> Other: Registry (names)
Case Name:	The Prosecutor vs. Hormidas Nsengimana			Case Number: ICTR-01069-A ICTR-2010-92
Dates:	Transmitted: 14 May 2010		Document's date: 14 May 2010	
No. of Pages:	2	Original Language: <input checked="" type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda		
Title of Document:	The Registrar's Submission on the Decision on Submissions by the Defence Team of Hormidas Nsengimana			
Classification Level:		TRIM Document Type:		
<input type="checkbox"/> Ex Parte		<input type="checkbox"/> Indictment	<input type="checkbox"/> Warrant	<input type="checkbox"/> Correspondence
<input type="checkbox"/> Strictly Confidential / Under Seal		<input type="checkbox"/> Decision	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Confidential		<input type="checkbox"/> Disclosure	<input type="checkbox"/> Order	<input type="checkbox"/> Appeal Book
<input checked="" type="checkbox"/> Public		<input type="checkbox"/> Judgement	<input type="checkbox"/> Motion	<input type="checkbox"/> Book of Authorities
				<input checked="" type="checkbox"/> Submission from non-parties
				<input type="checkbox"/> Submission from parties
				<input 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.				
<input type="checkbox"/> Filing Party hereby submits only the original, and will not submit any translated version.				
<input type="checkbox"/> Reference material is provided in annex to facilitate translation.				
Target Language(s):				
<input type="checkbox"/> English		<input type="checkbox"/> French		<input type="checkbox"/> Kinyarwanda
CMS SHALL NOT take any action regarding translation.				
<input type="checkbox"/> Filing Party hereby submits BOTH the original and the translated version for filing, as follows:				
Original	in	<input checked="" 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.				
<input type="checkbox"/> Filing Party will be submitting the translated version(s) in due course in the following language(s):				
<input type="checkbox"/> English		<input type="checkbox"/> French		<input type="checkbox"/> Kinyarwanda
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<input type="checkbox"/> The OTP is overseeing translation. The document is submitted for translation to:			<input type="checkbox"/> DEFENCE is overseeing translation. The document is submitted to an accredited service for translation (fees will be submitted to DCDMS):	
<input type="checkbox"/> The Language Services Section of the ICTR / Arusha.			Name of contact person:	
<input type="checkbox"/> The Language Services Section of the ICTR / The Hague.			Name of service:	
<input type="checkbox"/> An accredited service for translation; see details below:			Address:	
Name of contact person:			E-mail / Tel. / Fax:	
Name of service:				
Address:				
E-mail / Tel. / Fax:				

III - TRANSLATION PRIORITISATION (For Official use ONLY)

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