

ICTR-96-17
(18-7-2012)
(3066-3065)

3066



UNITED NATIONS
NATIONS UNIES

**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
DIRECTOR
JUDICIAL RECORDS/ARCHIVES
With Act

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

Y.

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.¹

2. WVSS filed its submissions on 3 July 2012.²


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.³

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]



¹ In Re. *Elizaphan and Gérard Ntakirutimana*, Case 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 Muniyaki*, 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 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.

² 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.

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



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Case Name:	The Prosecutor vs. NTAKIRUTIMANA, MUSEMA, KAYISHEMA et al., MUNYAKAZI, BAGILISHEMA, MUHIMANA, NCHAMIHIGO, NDIMBATI, NDINDABAHIZI, SIKUBWABO, NIYITEGEKA		Case Number: ICTR-96-10, 96-17, 96-13, 95-1, 97-36A, 95-1A, 95-1B, 01-63, 95-1, 01-71, 95-1D, 96-14
Dates:	Transmitted: 18/07/2012		Document's date: 18/07/2012
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