



Mechanism for International Criminal Tribunals

Case No: MICT-13-43
MICT-13-33 ✓

Date: 5 April 2017

Original: English

BEFORE A SINGLE JUDGE

Before: Judge Seymour Panton

Registrar: Mr. Olufemi Elias

Submission of: 5 April 2017

PROSECUTOR

v.

**AUGUSTIN NDINDILYIMANA
AUGUSTIN BIZIMUNGU
FRANÇOIS-XAVIER NZUWONEMEYE
INNOCENT SAGAHUTU**

PUBLIC WITH CONFIDENTIAL AND *EX PARTE* ANNEX

**REGISTRAR'S SUBMISSION PURSUANT TO THE ORDER OF
23 MARCH 2017**

The Office of the Prosecutor

Serge Brammertz
Richard Karegyesa

Counsel for Jean de Dieu Kamuhanda

Peter Robinson

Augustin Ndindiliyimana

Augustin Bizimungu

François-Xavier Nzuwonemeye

Innocent Sagahutu

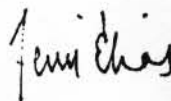
Received by the Registry
Mechanism for International Criminal Tribunals

05/04/2017 15:24

A handwritten signature in black ink, appearing to be a stylized 'M' or similar character, followed by a horizontal line.

1. Pursuant to Rule 31(B) of the Rules of Procedure and Evidence of the Mechanism for International Criminal Tribunals (“Rules”), and the “Order for Submissions” of 23 March 2017 (“Order”),¹ I bring the following observations to the attention of the Single Judge.
2. The Order instructed the Witness Support and Protection Unit (“WISP”) to inform the Single Judge of any redactions it would consider necessary to the confidential “Decision on Innocent Sagahutu’s Motion for Clarification or for Variation of Protective Measures” in the case of the *Augustin Ndindiliyimana et al. v. The Prosecutor*, Case No. ICTR-00-56-A of 22 March 2012 (“Decision”), in order to ensure the effective protection of the protected witness concerned in the event a public redacted version of the Decision would be issued.
3. WISP has completed its review of the Decision. In order to ensure that the identifying information of a protected witness is not revealed in the event a public redacted version of the Decision is issued, I request a judicial order to redact the Decision as proposed in the confidential Annex.² The redactions are necessary to ensure the full implementation of the protective measures in effect for the concerned witness.
4. The Registry remains at the Single Judge’s disposal should further information be required.

Respectfully submitted,



Olufemi Elias
Registrar

Dated this 5th day of April, 2017
At The Hague,
The Netherlands.

¹ *The Prosecutor v. Augustin Ndindiliyimana et al.*, Case No. MICT-13-43, “Order for Submissions”, public, 23 March 2017 (“Order”).

² See confidential Annex, containing proposed redactions to *Augustin Ndindiliyimana et al. v. The Prosecutor*, Case No. ICTR-00-56-A, “Decision on Innocent Sagahutu’s Motion for Clarification or for Variation of Protective Measures”, confidential, 22 March 2012. As the Annex contains information pertaining to a protected witness, the Registrar has filed it confidential and *ex parte*.



**TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH THE
MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS/
FICHE DE TRANSMISSION POUR LE DÉPÔT DE DOCUMENTS DEVANT LE
MÉCANISME POUR LES TRIBUNAUX PÉNAUX INTERNATIONAUX**

I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À :	MICT Registry/ Greffe du MPTI	<input checked="" type="checkbox"/> Arusha/ Arusha	<input type="checkbox"/> The Hague/ La Haye
From/ De :	<input type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Defence/ Défense	<input type="checkbox"/> Prosecution/ Bureau du Procureur
		<input checked="" type="checkbox"/> Other/ Autre : REGISTRAR	
Case Name/ Affaire :	NDINDILYIMANA ET AL.; KAMUHANDA		Case Number/ Affaire n° : MICT-13-43; MICT-13-33
Date Created/ Daté du :	5 APRIL 2017	Date transmitted/ Transmis le :	5 APRIL 2017
		No. of Pages/ Nombre de pages :	2
Original Language / Langue de l'original :	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser) :
Title of Document/ Titre du document :	REGISTRAR'S SUBMISSION PURSUANT TO THE ORDER OF 23 MARCH 2017		
Classification Level/ Catégories de classification :	<input checked="" type="checkbox"/> Unclassified/ Non classifié	<input type="checkbox"/> Ex Parte Defence excluded/ Défense exclue	<input type="checkbox"/> Ex Parte Prosecution excluded/ Bureau du Procureur exclu
	<input type="checkbox"/> Confidential/ Confidentiel	<input type="checkbox"/> Ex Parte R86(H) applicant excluded/ Art. 86 H) requérant exclu	<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ Amicus curiae exclu
	<input type="checkbox"/> Strictly Confidential/ Strictement confidentiel	<input type="checkbox"/> Ex Parte other exclusion/ autre(s) partie(s) exclue(s) (specify/préciser) :	
Document type/ Type de document :	<input type="checkbox"/> Motion/ Requête	<input type="checkbox"/> Submission from parties/ Écritures déposées par des parties	<input type="checkbox"/> Indictment/ Acte d'accusation
	<input type="checkbox"/> Decision/ Décision	<input checked="" type="checkbox"/> Submission from non-parties/ Écritures déposées par des tiers	<input type="checkbox"/> Warrant/ Mandat
	<input type="checkbox"/> Order/ Ordonnance	<input type="checkbox"/> Book of Authorities/ Recueil de sources	<input type="checkbox"/> Notice of Appeal/ Acte d'appel
	<input type="checkbox"/> Judgement/ Jugement/Arrêt	<input type="checkbox"/> Affidavit/ Déclaration sous serment	

II - TRANSLATION STATUS ON THE FILING DATE/ ÉTAT DE LA TRADUCTION AU JOUR DU DÉPÔT

<input checked="" type="checkbox"/> Translation not required/ La traduction n'est pas requise
<input type="checkbox"/> Filing Party hereby submits only the original, and requests the Registry to translate/ La partie déposante ne soumet que l'original et sollicite que le Greffe prenne en charge la traduction : (Word version of the document is attached/ La version Word est jointe)
<input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser) :
<input type="checkbox"/> Filing Party hereby submits both the original and the translated version for filing, as follows/ La partie déposante soumet l'original et la version traduite aux fins de dépôt, comme suit :
Original/ Original en <input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser) :
Translation/ Traduction en <input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser) :
<input type="checkbox"/> Filing Party will be submitting the translated version(s) in due course in the following language(s)/ La partie déposante soumettra la (les) version(s) traduite(s) sous peu, dans la (les) langue(s) suivante(s) :
<input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser) :

Send completed transmission sheet to/ Veuillez soumettre cette fiche dûment remplie à :
JudicialFilingsArusha@un.org OR/OU JudicialFilingsHague@un.org

Rev: April 2014/Rév. : Avril 2014