ICTR-98-44-T
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33757

UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Gberdao Gustave Kam
Vagn Joensen

Registrar: Adama Dieng

Date: 5 February 2008

THE PROSECUTOR

v.

Édouard KAREMERA
Mathieu NGIRUMPATSE
Joseph NZIRORERA

Case No. ICTR-98-44-T

DECISION ON JOSEPH NZIRORERA'S TENTH NOTICE OF DISCLOSURE VIOLATIONS AND MOTION FOR REMEDIAL AND PUNITIVE MEASURES

Rule 68 (A) of the Rules of Procedure and Evidence

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INTRODUCTION

1. In May 2006, the United States ("US") National Security Archive provided the Office of the Prosecutor ("OTP") with a DVD containing more than 4,700 declassified documents on the Rwandan genocide ("National Archive Documents").

2. On 21 November 2007, Joseph Nzirorera filed his tenth notice of disclosure violations[1] ("Motion") moving the Chamber: 1) to order the Prosecutor to disclose to the Defence any exculpatory material among the National Archive Documents; 2) to assert that the Prosecutor has violated Rule 68 (A) of the Rules of Procedure and Evidence ("Rules") by the non-disclosure of: a) reports of meetings between the US Ambassador and Mathieu Ngirumpatse and reports of meetings and speeches of President Habyarimana, in which Mathieu Ngirumpatse and President Habyarimana express support for the Arusha Peace Accords; and b) a document dated 14 June 1994 in which the US government indicates that it has no evidence to confirm reports that the genocide was planned ("Document 1"). He further requests the Chamber to impose remedial and punitive measures against the Prosecutor.

3. Following the Prosecutor's Response indicating that all National Archive Documents have been lodged in the Electronic Data Suite ("EDS") which was available to the Defence in the case,[2] Joseph Nzirorera in his Reply supplemented his initial request providing a copy of Document 1 and a further document ("Document 2") to support it.[3] He further indicated that he had received the documents through a third party and that Document 1 was not located in the EDS. As a result, he moves the Chamber to assert that the documents attached to his Reply fall under Rule 68 (A) and to order the Prosecutor to provide him with a copy of the DVD received from the US National Security Archive to allow him to make his own searches and to grant him a respite to tender his supplementary comments thereafter.

4. On 17 December 2007, Joseph Nzirorera filed a Supplemental Memorandum to which were attached copies of five more documents ("Documents 3 to 7") which he had located among the National Archive Documents lodged in the EDS.[4] He moves the Chamber to

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1 Joseph Nzirorera's Tenth Notice of Rule 68 Violation and Motion for Remedial and Punitive Measures, filed on 21 November 2007 ("Nzirorera's Motion").

2 Prosecutor's Response to Joseph Nzirorera's Tenth Notice of Rule 68 Violation and Motion for Remedial and Punitive Measures, filed on 26 November 2007 ("Prosecutor's Response").

3 Reply Brief: Joseph Nzirorera's Tenth Notice of Rule 68 Violation and Motion for Remedial and Punitive Measures, filed on 3 December 2007 ("Nzirorera's Reply").

4 Supplemental Memorandum in Support of Joseph Nzirorera's Tenth Notice of Rule 68 Violation and Motion for Remedial and Punitive Measures, filed on 17 December 2007 ("Nzirorera's Supplemental Motion").

assert that the Prosecutor, by the non-disclosure of these documents, has violated Rule 68 (A) and to impose remedial and punitive measures against him.

5. The Prosecutor opposes Joseph Nzirorera requests and disputes that any of the concerned documents are exculpatory.[5]

DELIBERATIONS

Preliminary issue

6. In his Rejoinder to Joseph Nzirorera's Reply and in his Response to Nzirorera's Supplemental Memorandum, the Prosecutor submits that the Accused should not be allowed to submit any additional requests to the requests in the Motion.[6]

7. The Chamber has previously held that additional requests closely linked to a prior motion, which could have been foreseen at the time of the filing of that prior motion, should be made in connection with the prior motion. Failure to do so runs contrary to the interests of judicial economy and may result in the forfeiture of fees.[7]

3. It appears from the submissions of the Parties that the OTP has lodged in the EDS more than 4,700 National Archive Documents which are relevant to the Defence, but without informing the Defence. Joseph Nzirorera only learned about the existence of the documents by the Prosecutor's Response. As all of Joseph Nzirorera's additional requests are closely linked to the Motion and could not have been made before learning about the National Archive Documents actually being in the EDS, the Chamber will consider all his requests. The Prosecutor's contention is therefore rejected and the Chamber will consider all the submissions filed by both Parties.

Has Rule 68 (A) been violated?

4. Under Rule 68 (A), the Prosecutor has a continuous obligation to actively review all material in his possession to identify material that "may suggest the innocence or mitigate the

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[5] Prosecutor's Response; see also Prosecutor's Response to Nzirorera's Supplemental Filing of 17 December 2007 – 10th Rule 68 Violation, filed on 24 December 2007 ("Prosecutor's Supplemental Response").

[6] Prosecutor's Rejoinder to Joseph Nzirorera's Tenth Notice of Rule 68 Violation and Motion for Remedial and Punitive Measures, filed on 4 December 2007 ("Prosecutor's Rejoinder").

[7] See *Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera*, Case No. ICTR-98-44-T ("*Karemera et al.*"), Decision on Defence Motion for Investigation of Prosecution Witness HH for False Testimony (TC), 26 September 2007, para. 9.

guilt of the accused or affect the credibility of Prosecution evidence" and "as soon as practicable" disclose such material to the Defence.

5. When bringing a motion pursuant to Rule 68 (A) in which the Accused intends to show that the Prosecution is in breach of its disclosure obligations, the Accused is expected (i) to identify the materials sought; (ii) to satisfy the Chamber on a *prima facie* basis of the Prosecution's custody or control of the materials requested; and (iii) to satisfy the Chamber on a *prima facie* basis of the exculpatory or potentially exculpatory character of the materials sought.[8] The initial determination of whether a document is exculpatory pursuant to Rule 68 (A) is primarily a facts-based judgement that rests with the Prosecutor.[9]

6. The Prosecutor asserts that the National Archive Documents have not been lodged in the EDS in order to comply with his disclosure obligations pursuant to Rule 68 (A), but pursuant to Rule 68 (B) as being relevant to the Defence, although he did not explicitly inform them of that fact.

7. Rule 68 (B) provides that "[w]here possible, and with the agreement of the Defence, and without prejudice to paragraph (A), the Prosecutor shall make available to the Defence, in electronic form, collections of relevant material held by the Prosecutor, together with appropriate computer software with which the Defence can search such collections electronically."

8. The Chamber recalls that EDS facilities cannot, as such, replace the Prosecution's disclosure obligations under Rule 68(A).[10] The Prosecution must actively review the material in its possession for exculpatory material and, at the very least, inform the accused of its

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8 *Karemera et al.*, Decision on Joseph Nzirorera's Fifth Notice of Rule 68 Violations and Motions for Remedial and Punitive Measures, 13 November 2007, para. 6; *Karemera et al.*, Oral Decision on Stay of Proceedings (TC), 16 February 2006, para. 6; *Karemera et al.*, Decision on Joseph Nzirorera's Notice of Violation of Rule 68 and Motion for Remedial Measures (TC), 12 July 2006, para. 2; *Karemera et al.*, Decision on Joseph Nzizorera's Interlocutory Appeal (AC), 28 April 2006, para. 13; *Bagosora et al.*, Decision on the Ntabakuze Motion for Disclosure of Various Categories of Documents Pursuant to Rule 68 (TC), 6 October 2006, para. 2; *Bagosora et al.*, Decision on Disclosure of Materials Relating to Immigration Statements of Defence Witnesses (TC), 27 September 2005, para. 3 ("a request for production of documents has to be sufficiently specific as to the nature of the evidence sought and its being in the possession of the addressee of the request").

9 *Karemera et al.*, Decision on Joseph Nzirorera's Interlocutory Appeal (AC), 28 April 2006, para. 16.

10 *Karemera et al.*, Decision on Interlocutory Appeal Regarding the Role of the Prosecutor's Electronic Disclosure Suite in Discharging Disclosure Obligations (AC), 30 June 2006, para. 10 ("In the view of the Appeals Chamber, the Prosecution's Rule 68 obligation to disclose extends beyond simply making available its entire evidence collection in a searchable forma: A search engine cannot serve as a surrogate for the Prosecution's individualized consideration of the material in its possession.")

existence.[11] The Prosecution's obligation to disclose exculpatory material is essential to a fair trial.[12]

9. The Chamber will now determine whether Joseph Nzirorera has shown that the requirements are met for ordering the Prosecutor to disclose the material sought.

National Archive Documents and Reports of Meetings

10. The Chamber is not satisfied that Joseph Nzirorera has sufficiently identified the National Archive Documents sought in his Motion for disclosure *en bloc*. Nzirorera also fails to sufficiently identify the reports of meetings with Mathieu Ngirumpatse and meetings with and speeches of President Habyarimana, in which they express support for the Arusha Peace Accords for the Chamber to conclude that the Prosecutor has violated his disclosure obligations under Rule 68(A). Joseph Nzirorera's request concerning those documents falls therefore to be rejected.

Document 1- dated 14 June 1994 and the request for a copy of the US National Security Archive DVD

11. Document 1 purports to be an "AF Press Guidance" dated 14 June 1994, originating from US State Department, with a question and an answer. It does not bear any OTP file number.

12. Joseph Nzirorera has not identified the third party who provided him with the copy, but indicates that that party has represented to him that the document was declassified by the US National Security Archive in 2006. Joseph Nzirorera does not dispute that the National Archive Documents lodged in the EDS are easily accessible. Moreover, he has a copy of Document 1, which cannot be located in the EDS. Thus, he requests to be provided with a copy of the DVD that the Prosecutor received from the US National Security Archive, partly to prove that the Prosecutor has violated Rule 68 (A) in relation to Document 1, and partly because he doubts the Prosecutor's assertion that all National Archive Documents have been lodged in the EDS.

13. The Prosecutor disputes that Document 1 originates from the material received by the OTP from the National US Security Archive or has otherwise been in his possession.

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11 *Ibid.*
12 *Ibid.*, para. 9.

14. The Chamber finds that Joseph Nzirorera has not provided a basis for it to disregard the assertion of the Prosecutor, who is presumed to be acting in good faith, that the document was not among the documents the OTP received from the US National Security Archive Documents or was otherwise in the Prosecutor's possession. The Chamber further notes that the Prosecutor declares to be ready to hand over a copy of the DVD received from US National Security Archive to the Defence.[13]

15. In those circumstances, Joseph Nzirorera's request concerning Document 1 falls to be rejected.

Documents 2 to 7 – General issues

16. Copies of the documents are at hand and thus identified, and it is not in dispute that they have been in the Prosecutor's possession. They are all cables from the US Embassy in Kigali with contemporary reports on the situation in Rwanda between 1992 and 1993.

17. Joseph Nzirorera presents selected passages that he claims are exculpatory. The Prosecutor counters by presenting other passages in the same cables arguably supporting the Prosecution case and submits that a document falls under Rule 68 (A) only if the document, read in its entirety, tends to be exculpatory and that only evidence of a certain quality should be taken into account.

18. The Chamber recalls that the disclosure to the Defence of evidence which in any way tends to suggest the innocence or mitigate the guilt of the accused is one of the most onerous responsibilities of the Prosecution,[14] and shall be interpreted broadly since it is essential to a fair trial.[15]

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13 Nzirorera's Supplemental Motion, para. 5.

14 *The Prosecutor* v. *Brđanin*, Case No. IT-99-36-A, Decision on Appellant's Motion for Disclosure Pursuant to Rule 68 and Motion for an Order to the Registrar to Disclose Certain Materials (AC) , 7 December 2004, para. 3; *The Prosecutor* v. *Brđanin and Talić*, Case No. IT-99-36-T, Decision on "Motion for Relief form Rule 68 Violations by the Prosecutor and for Sanctions to be Imposed pursuant to Rule 68 *bis* and Motion for Adjournment while Matters Affecting Justice and a Fair Trial can be Resolved" (TC), 30 October 2002, para. 23.

15 *The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera* ("*Karemera et al.*"), Case No. ICTR-98-44-T, Decision on Interlocutory Appeal Regarding the Role of the Prosecutor's Electronic Disclosure Suite in Discharging Disclosure Obligations (AC), 30 June 2006, para 9. See also *The Prosecutor v. Théoneste Bagosora, Gratien Kabiligi, Aloys Ntabakuze, Anatole Nsengiyumva* ("*Bagosora et al.*"), Case Nos. ICTR-98-41-AR73, ICTR-98-41-AR73(B), Decision on Interlocutory Appeals on Witness Protection Orders (AC), 6 October 2005, para. 44; *The Prosecutor v. Dario Kordic and Mario Čerkez*, Case No. IT-95-14/2-A, Appeal Judgement (AC), 17 December 2004, paras. 183, 242; *The Prosecutor v. Tihomir Blaškic*, Case No. IT-95-14-A, Judgement (AC), 20 July 2004, para. 264; *The Prosecutor v. Radislav Krstic*, Case No. IT-98-33-A, Judgement (AC), 19 April 2004, para. 180; *The Prosecutor v. Radoslav Brđanin*, Case No. IT-99-

19. Furthermore, the weight to be attributed to a particular piece of evidence is for the Trial Chamber to decide and cannot be decided before the end of the trial in light of all the evidence presented by the Parties. Therefore, the assessment under Rule 68 (A) must be made on a *prima facie* basis. However, the Chamber recalls that information from sources who have neither witnessed themselves the events in question nor explained the source of their assumptions apart from a general reference to rumours does not constitute a *prima facie* showing of evidence that may affect the credibility of the testimony of witnesses.[16]

20. When a document on a *prima facie* basis contains exculpatory information as well as information supporting the Prosecution case on the same issue, the Chamber notes that all information on the same issue must be read in context. Thus only information, that, when read in its entirety, tends to be exculpatory, must be disclosed under Rule 68 (A).

Document 2 – dated 21 August 1992

21. Joseph Nzirorera submits that the information in the following paragraph is exculpatory because it contradicts paragraph 6(iii) of the Indictment, which states that the leader of the CDR party was a member of the same joint criminal enterprise as the Accused, and the testimony of Prosecution Witnesses UB and GOB that the CDR was established and controlled by the MRND:[17]

> "Queried by Charge, however, leaders of both the MRND and CDR contend that their two organizations are completely separate and that their ideologies and aims are totally different. CDR leader Barayagwiza is critical of the MRND for failure to put Hutu interests first.... MRND leader Ngirumpatse is equally critical of the CDR policy of ethnic separatism and claimed to Charge that the CDR is actually a threat to the MRND. He acknowledged that Interahamwe members might be participating in CDR demonstrations and vice-versa, but he said such persons, if identified, would be punished. He claimed such participation was totally spontaneous and not sanctioned by the MRND."[18]

22. The Chamber notes that Document 2 concerns, *inter alia*, , the relationship between the CDR and MRND parties, and between their youth wings. In that Document, the US

36-A, Decision on Appellant's Motion for Disclosure Pursuant to Rule 68 and Motion for an Order to the Registrar to Disclose Certain Materials (AC), 7 December 2004, para. 3.

16 *Karemera et al*, Decision on Joseph Nzirorera's Sixth, Seventh and Eighth Notices of Disclosure Violations and Motions for Remedial, Punitive and Other Measures, 29 November 2007, paras. 16-18.

17 Nzirorera's Reply, paras. 6-10.

18 Nzirorera's Reply, Annex B, pp. 7-8.

Embassy reports that CDR youths and the Interahamwe, acting together, caused public disturbances, that the security forces under President Habyarimana's control were not intervening, and refers to an incident where Mathieu Ngirumpatse had demonstrated his ability to exercise control over the Interahamwe. The Embassy further cites different sources that appear to be known to it, that the CDR is the President's "mouthpiece", that there is little difference between the two parties, and that the Interahamwe has come under the influence of the President's family and become a militia involved with the military.

23. The Chamber finds that Document 2, when read in its entirety, does not tend to suggest that there was no relationship between the CDR and MRND parties. There is therefore no *prima facie* showing that Document 2 contains exculpatory information.

Document 3 – dated 2 August 1992

24. Joseph Nzirorera submits that the information in the following paragraph contained in Document 3 is exculpatory because it contradicts paragraphs 25.2, 27 and 62.3 of the Indictment and the testimony of Prosecution Witness GOB:[19]

> "By the end of July, both the President and the Secretary General of the MRND had publicly supported the Arusha Accord and the principles they incorporated for political negotiations with the RPF. At a press conference July 30, MRND SYG Matthieu Ngirumpatse accepted integration of the RPF into the Rwandan Army, providing not only the capacity of the Rwandan Army to absorb the RPF, but also other conditions of entry into the armed forces were taken into account. He said that associating the RPF with power in Rwanda should not call into question either the political system or the republican institutions already existing in the country. Refugees, he said, should be able to return in accordance with current legislation."[20]

25. The Chamber notes that according to GOB's testimony and paragraph 25.2 of the Indictment, MNRD leaders would have opposed the Arusha Accords at public MRND meetings on 28 May 1992, 15 November 1992, and on or about 27 October 1993. The Chamber further notes that according to paragraphs 27 and 62.3 of the Indictment, Joseph Nzirorera in particular would have opposed the Arusha Accords at meetings in Mukingo *commune* prior to January 1994 and continuing through late June 1994.

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19 Nzirorera's Supplemental Motion, paras. 7-8.
20 Nzirorera's Supplemental Motion, Annex A, p. 11.

26. The Chamber finds that there is no contradiction between the information that MRND leaders by the end of July 1992 expressed support for the Arusha Accords to the press and the information that MRND leaders in other fora and at other times would have expressed opposition to the Accords. There is therefore no *prima facie* showing that that Document 3 contains exculpatory information.

Document 4 – dated 31 December 1992

27. Joseph Nzirorera submits that the information in the following paragraph of Document 4 is exculpatory, as it contradicts the testimony of Prosecution Witness ZF that the violence in Gisenyi in late 1992 was fomented by local authorities, as part of a plan which had been agreed upon at secret meetings at a military camp in Gisenyi which Joseph Nzirorera and others had attended:[21]

> "The reported cause of these attacks is as follows: the populations of the communes around Gishwati Forest were called by the Prefecture to cut out the under bush in Gishwati forest, in order to deny a hiding place to bandits and brigands who were creating a climate of insecurity in the area. When the Hutu population arrived to do their community duty, they found that the Bagogwe population had not responded to the call. The Hutu took this as evidence that the Bagogwe were in cahoots with the brigands, and began attacking their neigbors [*sic*]. None of this story can be confirmed, although the Prime Minister has recounted a similar explanation to the Ambassador."[22]

28. The Chamber notes that Witness ZF testified that the meeting at the military camp referred to by Joseph Nzirorera took place well before President Habyarimana's speech in Ruhengeri on 15 November 1992,[23] that some of the participants, including Joseph Nzirorera, subsequently had a meeting with communal officials to explain the perceived plan of the Tutsi "from the outside" to exterminate the Hutus, and that violence against the Tutsi occurred shortly thereafter.[24] Witness ZF also testified that several events involving violence against the Tutsi occurred between 1992 and 1994.[25]

29. The Chamber finds that there is no contradiction between the information that the local Hutu population in Gisenyi attacked the Tutsi towards the end of December 1992 due to

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21 Nzirorera's Supplemental Motion, para. 9.
22 Nzirorera's Supplemental Motion, Annex B, pp. 4-5.
23 *Karemera et al.*, T. 16 May 2007, p. 68.
24 *Karemera et al.*, T. 16 May 2007, pp. 61-67.
25 *Ibid.*

a general suspicion against the Tutsi, and the information that local Hutu officials well before 15 November 1992 would have been incited to be suspicious against the Tutsi. There is therefore no *prima facie* showing that Document 4 contains exculpatory information.

Documents 5 and 6 – dated 29 and 30 March 1993

30. Joseph Nzirorera submits that the information in the following paragraphs are exculpatory, as the information contradicts the testimony of Prosecution Witnesses UB and GOB who would have testified that the two parties worked together at all times:[26]

> "MRND National Secretary Mathieu Ngirumpatse and MRND Minster of Interior Faustin Munyazesa told me today that neither one of them think that the loss of the CDR is very important for the MRND. Both are convinced that few if any MRND loyalists will defect to the CDR. Both believe that the CDR has now put itself off in a corner."[27]
>
> "The MRND has welcomed its divorce from the right wing CDR and is now debating a change of leadership intended to move the party towards the political center."[28]
>
> "The departure of the CDR from its alliance with the MRND indicates that the CDR failed to persuade the MRND to endorse its ethno-centric politics and failed to infiltrate the MRND party apparatus. As far as we can tell, the MRND has lost no significant members to the CDR and has assured the retention of the Tutsis in the party who had all but left as a result of the CDR alliance."[29]
>
> "MRND moderates are now encouraged to believe they will be able to beat back further challenges from the right wing within the party and succeed in getting a unified position for approval of a peace agreement when and if worked out."[30]

31. The Chamber notes that Witness UB testified that towards the end of 1993, the MRND and CDR formed an alliance and that the two parties thereafter were like one party.[31] Witness GOB testified that at the Ruhengeri meeting which took place on 15 November 1992, it was announced that the MRND had formed an alliance with CDR and that the two parties would work like one party.[32]

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26 Nzirorera's Supplemental Motion, paras. 10-13.
27 Nzirorera's Supplemental Motion, Annex C, p. 2 of 29 March 1993 cable.
28 Nzirorera's Supplemental Motion, Annex C, p. 1 of 30 March 1993 cable.
29 Nzirorera's Supplemental Motion, Annex C, p. 2 of 30 March 1993 cable.
30 *Ibid.*
31 *Karemera et al.*, T. 23 February 2006, p. 43.
32 *Karemera et al.*, T. 22 October 2007, p. 52.

32. The Chamber finds no contradiction between the information that a split between the two parties took place in March 1993, and the information that an alliance existed in November 1992 or came into existence in late 1993. There is therefore no *prima facie* showing that Documents 5 and 6 contain exculpatory information.

Document 7 – dated 5 November 2007

33. Joseph Nzirorera submits that the information in the following paragraph is exculpatory, as it contradicts the testimony of Prosecution Witnesses Mbonyunkiza, UB, ZF, AWE, AWD and GOB who would have testified that the three accused incited ethnic hatred in order to cling to power:[33]

> "Comment: The firm stand taken by the MRND was motivated largely by efforts to keep the MRND united, rather than have it split on ethnic grounds as the MDR and PL are doing. But it was also an understanding by the key leaders of the MRND, especially President Ngirumpatse, Minister of Interior Munyazesa, and Cabinet Director at the Presidency Ruhigira, that the formation of the political agenda on ethnic grounds at this delicate time could threaten the entire government formation process under the Arusha Accord. Their wisdom at this point kept most Hutu hardliners from the MRND at home."[34]

34. The Chamber notes that the US Embassy comments on the information in the preceding paragraph, which reads:

> "Although the MRND and CDR participated in the MDR rally two weeks ago, they decided to opt out of this one. Perhaps because of encouragement from the American and other Western embassies, the MRND went out in the street with sound trucks yesterday calling on all MRND adherents to stay away from the demonstration. According to one source, the CDR also decided to stay away, pointing out that the MDR didn't support their rally on October 24, so why should they support the MDR."[35]

35. Further, the Chamber notes that no Prosecution witnesses have testified about the MDR rally on 24 October 1993, which is not pled in the Indictment, or on the reasons why the MRND leadership encouraged party adherents not to attend an MDR rally.

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33 Nzirorera's Supplemental Motion, paras. 14-15.
34 Nzirorera's Supplemental Motion, Annex D, p. 5.
35 Nzirorera's Supplemental Motion, Annex D, p. 4.

36. The Chamber finds no contradiction between the information that the MRND leaders decided not to get involved in a MDR rally and the information that they would at other times have incited to racial hatred. There is therefore no *prima facie* showing that Document 7 contains exculpatory information.

37. As the Chamber has found no *prima facie* showing that the Prosecutor has violated Rule 68 (A), Joseph Nzirorera's requests in that respect fall to be rejected. His requests for remedial and punitive measures are therefore moot.

FOR THESE REASONS, THE CHAMBER

DENIES Nzirorera's Motion as well as all supplemental requests.

Arusha, 5 February 2008, done in English.

Dennis C. M. Byron	Gberdao Gustave Kam	Vagn Joensen
Presiding Judge	Judge	Judge

[Seal of the Tribunal]

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

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From:	☒ Chamber **III** **Sheila Paylan** (names)	☐ Defence (names)	☐ Prosecutor's Office (names)	☐ Other: (names)
Case Name:	The Prosecutor vs. **Édouard KAREMERA, Mathieu NGIRUMPATSE, Joseph NZIRORERA**		**Case Number:** ICTR-98-44-T	
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Classification Level:
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☐ Confidential
☒ Public

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☒ Decision	☐ Affidavit	☐ Notice of Appeal	☐ Submission from parties
☐ Disclosure	☒ Order	☐ Appeal Book	☐ *Accused particulars*
☐ Judgement	☐ Motion	☐ Book of Authorities	

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	☐ English	☐ French	☐ Kinyarwanda
Translation	in	☐ English	☐ French	☐ Kinyarwanda

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☐ English ☐ French ☐ Kinyarwanda

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III - TRANSLATION PRIORITISATION (For Official use ONLY)

☐ Top priority	*COMMENTS*	☐ Required date:
☐ Urgent		☐ Hearing date:
☒ Normal		☐ Other deadlines: