



ICTR-98-41-T  
26-02-2007  
International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda  
(32471-32465)

32471  
1494

ORIGINAL: ENGLISH

TRIAL CHAMBER I

**Before:** Judge Erik Møse, presiding  
Judge Jai Ram Reddy  
Judge Sergei Alekseevich Ligorov

**Registrar:** Adama Dieng

**Date:** 26 February 2007

THE PROSECUTOR

v.

Théoneste BAGOSORA  
Gratien KABILIGI  
Aloys NTABAKUZE  
Anatole NSENGIYUMVA

*Case No.: ICTR-98-41-T*

2007 FEB 26 AM 11:17  
JUDICIAL  
ADMINISTRATIVE  
SERVICES  
UNIT  
ICTR

DECISION ON NSENGIYUMVA MOTION TO  
ADMIT DOCUMENTS AS EXHIBITS

**The Prosecution**

Barbara Mulvaney  
Drew White  
Christine Graham  
Rashid Rashid  
Gregory Townsend

**The Defence**

Raphaël Constant  
Allison Turner  
Paul Skolnik  
Frédéric Hivon  
Peter Erlinder  
André Tremblay  
Kennedy Ogetto  
Gershom Otachi Bw'Omanwa

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**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

**SITTING** as Trial Chamber I, composed of Judge Erik Møse, presiding, Judge Jai Ram Reddy, and Judge Sergei Alekseevich Egorov;

**BEING SEIZED OF** the Nsengiyumva Defence request to admit documents as exhibits, made orally on 29 November 2006 and on 15, 16 and 18 January 2007;

**CONSIDERING** the oral submissions made by the parties during the hearings on those dates;

**HEREBY DECIDES** the request.

**INTRODUCTION**

1. The Accused, Anatole Nsengiyumva, testified from 4 to 13 October 2006.<sup>1</sup> During his testimony, the Defence sought to examine him on the basis of documents contained in three binders with a view toward tendering the documents as exhibits.<sup>2</sup> As there was not enough time available in that session, the Chamber reserved time for further examination from 15 to 18 January 2007.<sup>3</sup> A preliminary discussion about the admissibility of the documents took place on 29 November 2006.<sup>4</sup>

2. The Defence sought to tender 77 documents through direct examination of the Accused.<sup>5</sup> The Prosecution did not object to the tendering of 33 of those documents, all of which were then admitted into evidence.<sup>6</sup> One document on the list was found to have been previously admitted and was withdrawn from the Nsengiyumva request.<sup>7</sup> Another of the documents, referred to as the Hourigan Affidavit, is the subject of another motion filed by the Nsengiyumva Defence and will be dealt with in a separate decision by the Chamber.<sup>8</sup> On 15, 16 and 18 January 2007, the Defence requested that 19 of the remaining documents be admitted, most of which are witness statements or *pro justitia* statements before Rwandan authorities in connection with national proceedings. The vast majority are sought to be

<sup>1</sup> The dates of Nsengiyumva's initial testimony were 4, 5, 6, 9, 11, 12 and 13 October 2006.

<sup>2</sup> T. 5 October 2006 p. 9.

<sup>3</sup> T. 9 October 2006 pp. 82-83; T. 13 October 2006 p. 7.

<sup>4</sup> T. 29 November 2006 pp. 39-66.

<sup>5</sup> Nsengiyumva Defence Motion for the Recall of the Accused Person to Testify about Documents Intended to be Tendered in His Defence, filed on 6 November 2006. The motion had an annex listing 70 documents to be tendered. The Chamber allowed the Defence to pursue this line of questioning and deferred its ruling on the admissibility of any contested documents. See T. 29 November 2006 pp. 55, 65. During the proceedings, the Nsengiyumva Defence made clear that it wished to use its original list of 10 October 2006, which cited 75 documents, and the Chamber granted this request. See T. 29 November 2006 p. 40. The Defence later sought to tender two additional documents, bringing the total number of documents to be tendered to 77. See T. 15 January 2007 pp. 27-28.

<sup>6</sup> Thirty documents were admitted as Defence Exhibits D. NS 230 to D. NS 259 on 29 November 2006. An additional document, Document No. 62, was admitted as Exhibit D. NS 260 on 15 January 2007. See T. 15 January 2007 pp. 22-24. The Nsengiyumva Defence tendered Document No. 63 for admission but later withdrew its request because the document is already in evidence as Exhibit D. B 11. See T. 15 January 2007 pp. 25-27. Document No. 5, consisting of two statements by a witness who did not testify in this case, were admitted into evidence as Exhibits D. NS 261 and D. NS 262 on 16 January 2007. See T. 16 January 2007 pp. 12-14.

<sup>7</sup> See T. 29 November 2006 p. 42. Document No. 10 is a *pro justitia* statement to the Rwandan authorities, dated 14 March 2000, of a witness who did not appear before the Chamber. It was previously admitted as Prosecution Exhibit P 400 on 21 June 2006.

<sup>8</sup> Ntabakuze Motion to Admit Documents Under Rule 92 bis, filed on 13 December 2006.

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tendered to discredit the testimony of Prosecution witnesses who testified before the Chamber.

## DELIBERATIONS

### (i) General principles

3. Rule 90 (A) of the Rules of Procedure and Evidence enunciates the general principle that witnesses shall be heard directly by the Chamber. Notwithstanding the preference for oral testimony, the Nsengiyumva Defence seeks to tender statements under Rule 89 (C).<sup>9</sup>

4. As the Appeals Chamber and this Chamber have repeatedly held, the admission of written statements is governed by Rule 92 *bis*:

A party cannot be permitted to tender a written statement given by a prospective witness to an investigator of the OTP under Rule 89 (C) in order to avoid the stringency of Rule 92 *bis*. The purpose of Rule 92 *bis* is to restrict the admissibility of this very special type of hearsay to that which falls within its terms. By analogy, Rule 92 *bis* is the *lex specialis* which takes the admissibility of written statements of prospective witnesses and transcripts of evidence out of the scope of the *lex generalis* of Rule 89 (C), although the general propositions which are implicit in Rule 89 (C) – that evidence is admissible only if it is relevant and that it is relevant only if it has probative value – remain applicable to Rule 92 *bis*. But Rule 92 *bis* has no effect upon hearsay material which was not prepared for the purposes of legal proceedings.<sup>10</sup>

5. Rule 92 *bis* (A) provides that “[a] Trial Chamber may admit, in whole or in part, the evidence of a witness in the form of a written statement in lieu of oral testimony which goes to proof of a matter other than the acts and conduct of the accused as charged in the indictment”. Rule 92 *bis* (B) sets forth technical formalities that must be complied with in order for the statement to be admissible. Finally, the statement must meet the criteria of Rule 89 (C), namely that the evidence be relevant and have probative value. The witness statements sought to be tendered by the Defence are inadmissible under Rule 92 *bis* because they go directly to the acts and conduct of the Accused and do not meet the formal requirements of the Rule.

6. Notwithstanding Rule 92 *bis*, the Chamber has, during the course of this trial, used its inherent discretion to allow the tendering of documents (including witness statements) in two ways. The Chamber has allowed documents to be admitted into evidence for the purpose of impeaching the credibility of a witness on cross-examination. In this instance, the document is presented to the witness, and the witness is asked to explain any discrepancies between the statement and his or her testimony before the Chamber. The admitted document may then be specifically relied upon in the Chamber’s assessment of the witness’ credibility and in its ultimate determination of the case.

<sup>9</sup> T. 18 January 2007 p. 67.

<sup>10</sup> *Galic*, Decision on Interlocutory Appeal Concerning Rule 92 *bis* (C) (AC), 7 June 2002, para. 31. See also *Bagosora et al.*, Decision on Admission of Statement of Kabiligi Witness Under Rule 89 (C) (TC), 14 February 2007, para. 4; *Bagosora et al.*, Decision on Admission of Statements by Deceased Witnesses (TC), 19 January 2005, para. 15; *Bagosora et al.*, Decision on Defence Motion for Admission of Statement of Witness IG-1/U-03 Under Rule 92 *bis* (TC), 11 December 2006, para. 3; *Muhimana*, Decision on the Prosecution Motion for Admission of Witness Statements (Rules 89 (C) and 92 *bis*) (TC), 20 May 2004, para. 23-28; *Nyiramastuhuko et al.*, Decision on the Prosecutor’s Motion to Remove From Her Witness List Five Deceased Witnesses and to Admit Into Evidence the Witness Statements of Four of Said Witnesses (TC), 22 January 2003, para. 20.

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7. The Chamber has also admitted documents, including witness statements, into evidence for limited purpose of providing context for a witness' testimony.<sup>11</sup> Here, the document or witness statement – often originating from a different witness – is shown or read to the witness for his or her response to the contents contained therein. The document may be admitted as an exhibit and may become part of the record, but it will only be used to assist the Chamber in understanding the testimony of the witness on the stand.

8. In the present case, the Nsengiyumva Defence has attempted to impeach the testimony of witnesses who appeared before the Chamber by putting their inconsistent statements to the Accused for comment as part of his examination-in-chief.<sup>12</sup> In some instances, the statements placed before the Accused are from witnesses who did not appear before the Chamber. In both circumstances, the approach used by the Defence was improper: documents of this kind must be tendered in connection with the testimony of the witness whose evidence is sought to be discredited, either during his or her original testimony or following recall. Thus, the proper course of action here would have been for the Defence, upon discovery of the statements, to have moved to recall the witnesses who gave statements in order to examine them on any inconsistencies between their prior testimony and their written statements, or in the case of a witness who has not yet testified before the Tribunal, to have moved for variance of the Defence witness list to enable the witness to testify.

(ii) *Impeachment of Prosecution Witness DO*

9. Twelve of the documents, Document Nos. 26, 32, 34, 35, and 37-44, are sought to be tendered for the purpose of impeaching Prosecution Witness DO.<sup>13</sup> In response to objections by the Prosecution, the Nsengiyumva Defence orally moved to recall Witness DO on 15 January 2007, in order to put the documents directly to him.<sup>14</sup> However, the motion came too late, as the evidentiary phase of the trial had been completed with the exception of three remaining witnesses to be heard by video-link. The Defence had the possibility of making the motion earlier, immediately upon discovering or receiving the documents, and failed to do so.

10. The Defence acknowledged receiving Document Nos. 37-38 and 42-44, statements by Witness DO which allegedly contradict his prior testimony, shortly before the Accused took the stand in October 2006.<sup>15</sup> However, the Defence did not recall the witness to question him about any inconsistencies. Consequently, these documents cannot be admitted into evidence.

11. Document No. 32, a letter to Rwandan authorities from an individual who did not testify in this case, and Document Nos. 34 and 35, *pro justitia* statements to Rwandan

<sup>11</sup> E.g., T. 23 March 2006 p. 32 ("Unless you want to introduce this evidence for the very limited purpose of giving context to your cross-examination, and we can then carry on and complete this evidence").

<sup>12</sup> T. 29 November 2006 p. 53 (Mr. Ogetto: "the purpose, as you'll see in the explanations that I've given against each of those witnesses is to contradict certain Prosecution testimonies that were tendered before this Chamber"); T. 29 November 2006 p. 57 (Mr. Ogetto: "I'm using the statements to discredit Prosecution witnesses"); T. 15 January 2007 (Mr. Ogetto: "[W]e are clearly trying to impeach the testimony of Witness DO"). See also T. 15 January 2007 pp. 34-35.

<sup>13</sup> T. 15 January 2007 pp. 14-17; T. 16 January 2007 pp. 17-24; T. 18 January 2007 pp. 1, 13-17. The Defence initially sought to admit Document No. 3 for the same purpose but later withdrew its request. T. 16 January 2007 pp. 7-8.

<sup>14</sup> T. 15 January 2007 p. 15.

<sup>15</sup> T. 15 January 2007 p. 8; T. 18 January 2007 pp. 13-14, 16-17. See also *Bagosora et al.*, Decision on the Nsengiyumva Motion to Add Six Witnesses to its Witness List (TC), 11 September 2006 (granting the Nsengiyumva Defence request to vary its witness list).

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authorities by a different non-testifying witness, were acquired by the Defence through its own investigations at some point during the Defence case.<sup>16</sup> Document Nos. 39 and 40 are also *pro justitia* statements by non-testifying witnesses that are intended to impeach Witness DO's testimony, but the Defence provides no information on how and when these documents were obtained.<sup>17</sup> In each of these cases, the Defence failed to recall Witness DO or to call the witnesses who authored these statements. Accordingly, the Chamber does not admit Document Nos. 32, 34, 35, 39, and 40 into evidence.

12. Similarly, Document No. 41 is a *pro justitia* statement to Rwandan authorities by Prosecution Witness OAB.<sup>18</sup> The Defence did not demonstrate that it lacked the time to recall either Witness DO or Witness OAB. Therefore, the request to admit Document No. 41 is denied.

13. Document No. 26 is a *pro justitia* statement to the Rwandan authorities, dated 22 December 1998, of a witness who did not appear before the Chamber. The Defence asserts that the statement contradicts Witness DO's testimony with regard to the killing of a particular individual and his family.<sup>19</sup> The Defence claims to have found the document through its own investigation in the second half of 2006, but the Prosecution contends that the Defence may have known about the document's existence as far back as October 2005 through Prosecution disclosures at the time of Witness DO's recall.<sup>20</sup> Regardless of whether it was 2005 or 2006, the Chamber finds that the Defence sought neither to recall Witness DO nor to call the witness who gave the *pro justitia* statement. Consequently, Document No. 26 is not admitted.

(iii) *Impeachment of Prosecution Witnesses ABQ and OQ*

14. Document Nos. 2 and 4 are tendered by the Defence for the purpose of impeaching the testimony of Prosecution Witnesses ABQ and OQ.<sup>21</sup> The Defence submits that Document No. 2, the statement of Witness EB-4, who was not called by the Prosecution, contradicts the testimony of these two witnesses regarding the killing of the Gasake family.<sup>22</sup> The Chamber observes that the Defence knew the identity of Witness EB-4 in November 2005, when the Prosecution used the statement of Witness EB-4 during the cross-examination of Defence Witness NR-1.<sup>23</sup> In spite of this knowledge, the Defence did not seek to recall Witnesses ABQ or OQ or to call Witness EB-4 as a Defence witness. Accordingly, the Chamber does not admit Document No. 2.

15. The Defence also argues that Document No. 4 contradicts testimony given by Witnesses ABQ and OQ.<sup>24</sup> The document contains assertions by Witness HL, who was a potential witness for the Prosecution, that there was no commando training of militia and soldiers at Bigogwe training centre. The Defence argues that the Prosecution breached its

<sup>16</sup> T. 16 January 2007 pp. 21-24. See also T. 18 January 2007 pp. 10-12.

<sup>17</sup> T. 18 January 2007 pp. 14-15.

<sup>18</sup> T. 18 January 2007 p. 15.

<sup>19</sup> T. 16 January 2007 pp. 17-20; T. 18 January 2007 pp. 9-10. The Nsengiyumva Defence also submits that this document contradicts the testimony of Prosecution Witness ZF. T. 16 January 2007 pp. 18-19; T. 18 January 2007 p. 10.

<sup>20</sup> T. 16 January 2007 pp. 18, 21.

<sup>21</sup> T. 18 January 2007 pp. 7-9.

<sup>22</sup> T. 16 January 2007 pp. 1-2; T. 18 January 2007 p. 7.

<sup>23</sup> T. 16 January 2007 pp. 1, 4-6. The Prosecution did not tender the document into evidence during its cross-examination of Witness NR-1, who testified on 23 and 24 November 2005.

<sup>24</sup> T. 16 January 2007 pp. 8-11; T. 18 January 2007 p. 8.

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disclosure obligations by failing to turn over this exculpatory piece of information, particularly in light of its request for the witness' unredacted statement in July 2006.<sup>25</sup> The Prosecution contends that the information is not exculpatory and leaves the issue to the Chamber's discretion.<sup>26</sup> The Chamber finds that the statement is exculpatory insofar as the two paragraphs discussing the lack of militia training. However, the subject of training at Bigogwe was already discussed at length during the testimony of other Defence witnesses, thereby making the statement of Witness HL duplicative.<sup>27</sup> Consequently, the Chamber declines to admit Document No. 4.

(iv) *Impeachment of Prosecution Witness XBH*

16. The Defence also seeks to tender two documents to impeach Prosecution Witness XBH.<sup>28</sup> Document No. 11 is an excerpt from Andre Guichaoua's expert report and provides an account of the murder of Martin Bucyana in Butare and certain events that took place around that time. The Defence directs the Chamber's attention to the absence of a reference to the transport and subsequent killing of 33 Tutsis, a fact which Witness XBH testified to at length during his first appearance before the Chamber from 3 to 7 July 2003.<sup>29</sup> The Chamber finds that this issue was extensively raised during the course of the witness' testimony and afforded the Defence ample opportunity to question him on the subject. Moreover, the Prosecution filed the Guichaoua report with the Registry more than one year before Witness XBH was recalled by the Nsengiyumva Defence, again affording the Defence another occasion to address the issue with the witness.<sup>30</sup> Consequently, the Chamber denies admission of Document No. 11.

17. The other document which the Defence seeks to admit is an additional statement of Witness XBH, which was taken after he testified initially and after his recall.<sup>31</sup> The Defence has not clarified when it received this statement or why it failed to recall the witness again if there were significant inconsistencies with this additional statement. The fact that Nsengiyumva gave comments on the statement of Witness XBH during his original testimony does not change this. In order to impeach the credibility of Witness XBH, the statement had to be introduced through that witness.<sup>32</sup> In the Chamber's view, the Defence cannot now tender it through the Accused.

(v) *Evidence Intended to Corroborate Other Defence Testimony*

18. The Nsengiyumva Defence seeks to tender Document No. 60, a written statement dated 19 May 2002 by a Ntabakuze Defence Witness, as corroborative evidence of information provided by other Defence witnesses.<sup>33</sup> The Defence could not remember

<sup>25</sup> T. 16 January 2007 p. 8.

<sup>26</sup> T. 16 January 2007 p. 9.

<sup>27</sup> T. 16 January 2007 p. 10 (Mr. Ogetto: "It's true, Mr. President, that we have called numerous testimonies from Defence witnesses on the issue of training of militia at Bigogwe camp. But when you have a Prosecution witness who supports what the Defence has said, then we must really look at what this Prosecution witness is saying"). The Chamber disagrees with the Defence assertion that this information is particularly important because the witness was a potential Prosecution witness.

<sup>28</sup> T. 15 January 2007 pp. 17-18, 27. These are Document No. 11 and a statement by Prosecution Witness XBH, which was not included on the Nsengiyumva list but which it orally sought to admit.

<sup>29</sup> T. 15 January 2007 p. 18.

<sup>30</sup> T. 15 January 2007 pp. 18-19.

<sup>31</sup> T. 15 January 2007 pp. 29-30. See also T. 18 January 2007 p. 19.

<sup>32</sup> T. 15 January 2007 pp. 27-28.

<sup>33</sup> T. 15 January 2007 pp. 21-22.

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whether it received a copy of the statement before or after the witness' testimony but argues that the timing of the disclosure is irrelevant because the document provides corroborating evidence. The Chamber disagrees. The document, if disclosed prior to the Ntabakuze witness' testimony, should have been used at the time he testified; alternatively, if not disclosed until a later date, the Defence should have sought to recall the witness to obtain this allegedly corroborating testimony. For these reasons, the Chamber declines to admit Document No. 60.

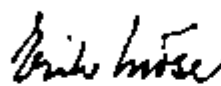
19. In addition, the Defence asks the Chamber to admit Document No. 5, consisting of a statement from a potential Prosecution witness, which has exculpatory information.<sup>34</sup> The statement was disclosed to the Defence in redacted form no later than 2000 (omitting the identifying information of the witness) and was disclosed in unredacted form several days before the Accused took the stand in October 2006. The Chamber finds that the Defence should have made an attempt to call the witness on behalf of the Defence and cannot now introduce the document through the Accused. The request to admit Document No. 5 is therefore denied.

20. The Defence also asks the Chamber to admit Document No. 65, a Prosecution submission (with annexes) before the Appeals Chamber in the *Media* case.<sup>35</sup> The Defence argues that the document should be admitted because it corroborates the Accused's testimony about Ngeze bribing or intimidating witnesses in order to secure the incrimination of the Accused.<sup>36</sup> The Chamber notes that it is highly unusual to tender legal submissions as exhibits, particularly as they relate to facts in a different case. While some of the witnesses may be the same in both cases, the information contained in the Prosecution submissions in the case against Ngeze are not relevant because, with the exception of one allegation, they deal with factual allegations specific to Ngeze. Moreover, the Chamber notes that a written statement by Nsengiyumva concerning Ngeze's alleged actions is already in evidence in this case.<sup>37</sup> The request to admit Document No. 65 is therefore denied.


**FOR THE ABOVE REASONS, THE CHAMBER**

**DENIES** the Defence motion in its entirety.

Arusha, 26 February 2007



Erik Mose  
Presiding Judge



Jai Ram Reddy

P.P. Judge

[Seal of the Tribunal]



Sergei Alekseevich Igorov  
Judge

<sup>34</sup> T. 15 January 2007 pp. 35-37; T. 18 January 2007 pp. 8-9.

<sup>35</sup> T. 16 January 2007 p. 14-17; T. 18 January 2007 p. 17. Document No. 65 is entitled "Prosecutor's Additional Submissions in Response to 'Appellant Hassan Ngeze's Urgent Motion for Leave to Present Additional Evidence (Rule 115) of Witness EB'", filed on 7 July 2005, in the case of *Ngeze v. Prosecutor*.

<sup>36</sup> T. 16 January 2007 pp. 15-16; T. 18 January 2007 p. 17.

<sup>37</sup> The document, entitled "Nsengiyumva Case: A High Level Conspiracy; Fabrication of Testimonies Against Me" and dated 7 October 2006, was admitted as Defence Exhibit D. NS 225 on 11 October 2006.



# 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 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"/> Appeals Chamber / Arusha F. A. Talon
	<input type="checkbox"/> Chief, CMS J.-P. Fornété	<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 checked="" type="checkbox"/> Chamber I Judge Mose Judge Reddy Judge Egorov (names)	<input type="checkbox"/> Defence (names)	<input type="checkbox"/> Prosecutor's Office (names)	<input type="checkbox"/> Other: (names)
<b>Case Name:</b>	The Prosecutor vs. BAGOSORA ET AL.		<b>Case Number:</b> ICTR-98-41-T	
<b>Dates:</b>	Transmitted: 26 FEBRUARY 2007		Document's date: 26 FEBRUARY 2007	
<b>No. of Pages:</b>	7		<b>Original Language:</b> <input checked="" type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda	
<b>Title of Document:</b>	DECISION ON NSENGIYUMVA MOTION TO ADMIT DOCUMENTS AS EXHIBITS			
<b>Classification Level:</b>		<b>TRIM Document Type:</b>		
<input type="checkbox"/> Strictly Confidential / Under Seal		<input type="checkbox"/> Indictment	<input type="checkbox"/> Warrant	<input type="checkbox"/> Correspondence
<input type="checkbox"/> Confidential		<input checked="" type="checkbox"/> Decision	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Public		<input type="checkbox"/> Disclosure	<input type="checkbox"/> Order	<input type="checkbox"/> Appeal Book
		<input type="checkbox"/> Judgement	<input type="checkbox"/> Motion	<input type="checkbox"/> Book of Authorities
		<input 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.**

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

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

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**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"/> The OTP 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: