

ICTR-99-54-T
15-07-2010
(7478-7464)

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Msuya



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER II

Before: Judge William H. Sekule, Presiding
Judge Solomy Balungi Bossa
Judge Mparany Rajohnson

Registrar: Mr. Adama Dieng

Date: 15 July 2010

The PROSECUTOR

v.

Augustin NGIRABATWARE

Case No. ICTR-99-54-T

2010 JUL 15 A 16:30
Augustin NGIRABATWARE

**DECISION ON PROSECUTOR'S MOTION FOR JUDICIAL NOTICE OF
FACTS OF COMMON KNOWLEDGE**

Office of the Prosecutor

Mr. Wallace Kapaya
Mr. Patrick Gabaake
Mr. Iskandar Ismail
Ms. Faria Rekkas

Defence Counsel

Mr. Peter Herbert
Ms. Mylène Dimitri
Mr. Deogratias Sebureze
Ms. Anne-Gaëlle Denier
Ms. Chloé Gaden-Gistucci

Handwritten signature

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (the "Tribunal"),

SITTING as Trial Chamber II composed of Judges William H. Sekule, Presiding, Solomy Balungi Bossa and Mparany Rajohnson (the "Chamber");

BEING SEIZED of the "Prosecutor's Motion for Judicial Notice of Facts of Common Knowledge Pursuant to Rule 94(A) (B) and 89(C)", filed on 3 May 2010;

CONSIDERING the "Defence Response to the Prosecution Motion to Take Judicial Notice of Facts of Common Knowledge as Set Out in Its Motion Dated 3 May 2010 Pursuant to Rules 94 (A) and (B), 89 (C) of the Rules of Procedure and Evidence", filed on 10 May 2010;

CONSIDERING also the Statute of the Tribunal (the "Statute") and the Rules of Procedure and Evidence (the "Rules");

NOW DECIDES the Motion pursuant to Rules 89 (C) and 94 of the Rules.

SUBMISSIONS OF THE PARTIES

Prosecution Motion

1. The Prosecution requests the Chamber to take judicial notice of, and to admit into evidence, certain documents used in other proceedings of the Tribunal. These consist of an administrative and roads map of Rwanda as well as the cover and pages 697 through 701 of André Guichaoua's report entitled "Les crises politiques au Burundi et au Rwanda (1993-1994)", which includes a partial list of persons evacuated from the French Embassy on 12 April 1994.¹

2. The Prosecution submits that the documents are common knowledge and beyond reasonable dispute, and therefore must command judicial notice pursuant to Rule 94 (A). Even were this not the case, the Chamber should exercise its Rule 94 (B) discretion to take judicial notice of these documents in order to promote judicial economy and consistency. In this regard, the Prosecution notes that the report was admitted into evidence in the *Bagosora et al.* and *Bizimungu et al.* cases.²

3. The Prosecution also deems the documents to be relevant and of probative value, and thus admissible per Rule 89 (C). The geographical map is a public document, its substance is common knowledge, and its admission will aid determinations regarding

¹ Motion, paras. 1-2, 21, Annexures A-B. The map and extracts from the report are attached to this Decision, respectively, as Annexes 1 and 2.

² *Id.*, paras. 3, 10-11, 14, 15-16, 18-21, citing *The Prosecutor v. Théoneste Bagosora et al.*, Case No. ICTR-98-41-T ("*Bagosora et al.*"), Bagosora Defence Exhibit 99; *Bagosora et al.*, Nsengiyumva Defence Exhibit 1; *Bagosora et al.*, Prosecution Exhibit 370; *The Prosecutor v. Casimir Bizimungu et al.*, Case No. ICTR-99-50-T ("*Bizimungu et al.*"), Prosecution Exhibit 2(67)(F).

locations and distances between places mentioned in the trial proceedings. As for the extract of the report, it helps to demonstrate that identified persons were present at the French Embassy between 6 and 12 April 1994.³

Defence Response

4. The Defence does not oppose the admission into evidence of the map or of the report's extracted pages. It concedes that the map reflects the scales, distances and roads present in Rwanda in 1999.⁴

5. The Defence identifies what it considers to be errors in the report, and states that it does not accept the accuracy of the facts contained therein. Furthermore, the Defence emphasizes that the map and the extracts should neither supersede nor replace better evidence.⁵

DELIBERATIONS

6. At the outset, the Chamber notes that although the Defence does not oppose the admission into evidence of the map and extracts of the report, it does not appear to have commented on the issue of judicial notice.

7. Rule 94 (A) of the Rules states: "[a] Trial Chamber shall not require proof of facts of common knowledge but shall take judicial notice thereof." This standard is not discretionary; if a Trial Chamber determines that a fact is "common knowledge", it must take judicial notice of it.⁶ The term "common knowledge" encompasses facts that are widely known and not reasonably subject to dispute: in other words, commonly accepted or universally known facts, such as general facts of history or geography, or the laws of nature.⁷

8. Rule 94 (B) grants the Chamber the discretion to "decide to take judicial notice of adjudicated facts or documentary evidence from other proceedings of the Tribunal relating to the matter at issue in the current proceedings." When this discretion is exercised under appropriate circumstances, it is a method of achieving judicial economy and harmonizing judgements of the Tribunal while ensuring the Accused's right to a fair, public and expeditious trial.⁸

³ Motion, paras. 11-12, 18.

⁴ Response, paras. 4-7, 10. The Chamber notes that the Defence identifies the map as being dated 27 April 1999. *Id.*, para. 6. At the present time, the Chamber is unable to determine whether this date appears on the document.

⁵ *Id.*, paras. 4-5, 7-9.

⁶ *Simon Bikindi v. The Prosecutor*, Case No. ICTR-01-72-A, Judgement (AC), 18 March 2010 ("*Bikindi Appeals Judgement*"), para. 99, citing *The Prosecutor v. Édouard Karemera et al.*, Case No. ICTR-98-44-AR73(C), Decision on Prosecutor's Interlocutory Appeal of Decision on Judicial Notice (AC), 16 June 2006 ("*Karemera et al. Decision*"), para. 22.

⁷ *Bikindi Appeals Judgement*, para. 99, citing *Laurent Semanza v. The Prosecutor*, Case No. ICTR-97-20-A, Judgement (AC), 20 May 2005, para. 194.

⁸ *Karemera et al. Decision*, para. 39.

9. The Appeals Chamber has clarified that:

[W]hereas facts noticed under Rule 94 (A) are established conclusively, those established under Rule 94 (B) are merely presumptions that may be rebutted by the defence with evidence at trial. . . . [J]udicial notice does not shift the ultimate burden of persuasion, which remains with the Prosecution. In the case of judicial notice under Rule 94 (B), the effect is only to relieve the Prosecution of its initial burden to produce evidence on the point; the defence may then put the point into question by introducing reliable and credible evidence to the contrary.⁹

Administrative and Roads Map

10. The Chamber notes that the map in question bears the seal of the United Nations Information Management Unit. In the *Semanza* case, the Bench took judicial notice of documents, as well as their contents, that had been produced by an organ of the United Nations.¹⁰

11. As the map contains commonly accepted facts, including general facts of geography, the Chamber considers that the map represents facts of common knowledge. Pursuant to Rule 94 (A), the Chamber takes judicial notice of the map and its contents.

Extracts of the Report

12. The extracted pages of the report list Rwandans who were evacuated from the French Embassy on 12 April 1994. The Chamber considers that this information is neither universally known nor commonly accepted. Accordingly, this document does not qualify for judicial notice under Rule 94 (A).

13. The Chamber notes that the excerpted pages of this report have been admitted as evidence in the *Nahimana et al.*, *Bagosora et al.* and *Bizimungu et al.* cases.¹¹ As documentary evidence from other proceedings of the Tribunal, the report extracts might be subject to judicial notice pursuant to Rule 94 (B).

14. In the *Bizimungu et al.* case, however, Trial Chamber II declined to take judicial notice of facts that either "go directly to the guilt or innocence of the Accused or [that] are reasonably disputed by the parties", reasoning that such facts are best determined through trial proceedings.¹²

⁹ *Id.*, para. 42.

¹⁰ *The Prosecutor v. Laurent Semanza*, Case No. ICTR-97-20-I, Decision on the Prosecutor's Motion for Judicial Notice and Presumptions of Facts Pursuant to Rules 94 and 54 (TC), 3 November 2000, para. 38. The *Semanza* Bench also took judicial notice of the contents of various portions of Rwandan laws. *Id.*

¹¹ *The Prosecutor v. Ferdinand Nahimana et al.*, Case No. ICTR-99-52-T, Exhibit 1D151 (pages 697 through 701 of the report); *Bagosora et al.*, Bagosora Defence Exhibit 99 (the entire report); *Bizimungu et al.*, Prosecution Exhibit 2(67)(F) (same).

¹² *Bizimungu et al.*, Decision on the Prosecutor's Motion and Notice of Adjudicated Facts (TC), dated 10 December 2004, para. 22.

15. The Chamber notes that the list of persons allegedly evacuated from the French Embassy on 12 April 1994, including the Accused, remains at issue in this case.¹³ Under such circumstances, the Chamber does not consider it appropriate to make presumptions about the accuracy of the report extracts or their contents. Accordingly, the Chamber declines to exercise its Rule 94 (B) discretion to take judicial notice of them.

Admission into Evidence

16. The Chamber recalls that, in addition to judicial notice, the Prosecution seeks admission of the map and report extracts into evidence. The Defence does not oppose this request.¹⁴

17. Pursuant to Rule 89 (C), the Chamber “may admit any relevant evidence which it deems to have probative value.”

18. The Chamber agrees that the map is relevant and has probative value, as it may assist the Chamber in determining the distances between locations at issue in the case. Although the map has been judicially noticed, the Chamber considers that its admission into evidence may prove helpful for any future reference.

19. As for the extracts of the report, the Chamber considers that they may tend to establish the presence of individuals within the French Embassy on or before 12 April 1994. Accordingly, the extracted pages meet the threshold of Rule 89 (C), and the Chamber grants the Prosecution motion to have these pages admitted into evidence.

¹³ Compare, for example, Second Additional Notice of Alibi, dated 3 May 2010, para. 7 (“The Defence of Dr. Ndirabatware reiterates that the latter was at the Presidential Guard Camp and at the French Embassy in Kigali, from April 6th to April 12th, inclusively. The individuals listed above will confirm that.”), and Prosecutor’s Extremely Urgent Motion for Leave to Vary the List of Witnesses To Be Called and Extension of Witness Protection Orders [made pursuant to Rules 73bis (E), 54, 69, 75 of the Rules of Procedure and Evidence, Article 21 of the Statute of the Tribunal and the Inherent Criminal Jurisdiction of the Tribunal], 24 June 2010, para. 28 (“The anticipated testimony of [requested Prosecution] witnesses will tend to show further, that the Accused *may have stayed* at the Presidential Guard Camp and the French Embassy *for certain periods between 7 and 11 or 12 April 1994.*”) (emphases added).

¹⁴ Motion, paras. 1, 21; Response, paras. 4-5, 7, 9-10.

FOR THE ABOVE REASONS, THE CHAMBER

GRANTS the Motion;

TAKES JUDICIAL NOTICE of the Administrative and Roads Map and its contents;

ADMITS into evidence the Administrative and Roads Map, to be marked as Prosecution Exhibit 25; and

ADMITS into evidence the front cover and pages 697 through 701 of "Les crises politiques au Burundi et au Rwanda (1993-1994)" by André Guichaoua, to be marked as Prosecution Exhibit 26.

Arusha, 15 July 2010



William H. Sekule
Presiding Judge



Mparany Rajohnson
Judge

ANNEX 1

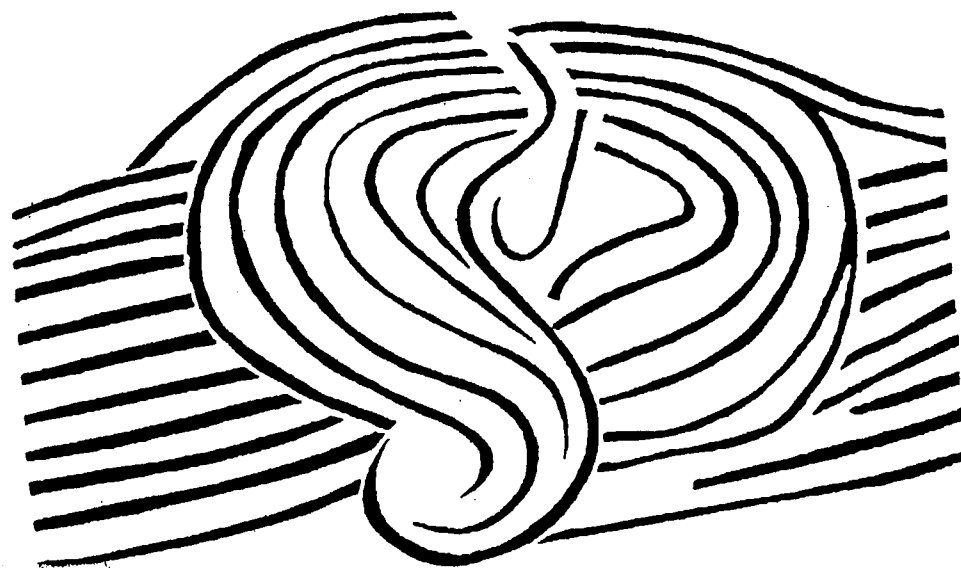
ANNEX 2

SOUS LA DIRECTION DE
André Guichaoua

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Les crises politiques au Burundi et au Rwanda (1993-1994)



Université des Sciences et Technologies de Lille

ANNEXURE B

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FAITS ET DOCUMENTS

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LISTE DES PERSONNALITÉS RWANDAISES ÉVACUÉES DE L'AMBASSADE DE FRANCE, LE 12 AVRIL VERS BUJUMBURA

La liste des réfugiés à l'ambassade de France suscitera bien des débats. Le premier parce que le choix des ambassades d'accueil par les personnalités pourchassées ou s'estimant en danger exprime des amitiés ou préférences politiques. Le second parce que l'accueil a rapidement été sélectif, et pas uniquement du fait de «problèmes de capacité». En fait, la réputation faite à l'ambassade de France d'avoir récupéré les «dignitaires du régime» tient surtout au fait que plusieurs des membres du nouveau gouvernement intérimaire y ont déposé femmes et enfants, eux-mêmes n'ayant sollicité la protection de la France qu'en gagnant la «zone humanitaire sûre» lors de la débâcle finale de la mi-juillet. Quoi qu'il en soit, les autorités françaises classeront cette liste «secret défense». Au nombre de 178, les évacués de l'ambassade de France vers Bujumbura resteront 48 heures en zone internationale, puis devant le refus catégorique des autorités burundaises de les conserver sur le territoire national, elles seront évacuées vers Bukavu et Goma où les plus hautes autorités zaïroises les accueilleront. 43 d'entre elles, personnalités «à risques» ou susceptibles d'être en danger au Zaïre seront autorisées à rester à Bujumbura ou à partir vers d'autres destinations.

Fac simulé (extrait) :

1. MUNYASHONGORE Charles	Entrepreneur
2. MUTETIYABO Delphine	Infirmière
3. USANASE Carole	bebe
4. KUZINDANA Augustin	Directeur BUNEP
5. UZAMUKUNDA Venantie	Menagere
6. KUZINDANA Octave	elevé
7. KUZINDANA Jules-Cesar	"
8. " Napoleon	ecolier
9. " Cassandre	"
10. NDAZIBONEYE Rina	elevé
11. MUHOZA Augustin	"
12. MUNYAMPUNDU Cyprien	Depute
13. NYIRAGUKURA Marie-Claire	Infirmière
14. RUKUNDO Jean de Dieu	elevé
15. MUKUNZI Viateur	" .../...
165. UWAMARIYA Bernadette	enfant
166. UWIMANA Seraphine	elevé
166. THAGIRIHIRE Claudine	elevé
167. UWIHIRE Angelique	elevé
168. SIBOMANA Jean de Dieu	elevé
169. HABUMUKIZA Alain Gilbert	elevé
170. NYANGABO Alexandre	elevé
171. MUKANGENZI Amnociata	elevé
172. TUMUSIGE Genevieve	Agent d'entreprise
173. MME NGIRABATWARE Felicite	
174. UWIMANA DAISY Anne Pascale	enfant
175. NGIRABATWARI	
176. MUBABO Jean Philippe Lionel	enfant
177. NGIRABATWARI	
178. MUZIRANENGE Stacy Elodie	enfant

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LES CRISES POLITIQUES AU BURUNDI ET AU RWANDA

Parmi les principales «personnes à risques» figurent :

BIZIMUNGU Casimir
MBANGURA Daniel
NGIRABATWARE Augustin
NTAGERURA André
NZABONIMANA Callixte
MUGENZI Justin

NSANZIMANA Sylvestre
NAHIMANA Ferdinand

NDENGEJEHO Pascal

NTEZIRYAYO Siméon

NKUBITO Alphonse-Marie
RUZINDANA Augustin
Famille NSABIMANA

Famille MUNYAMPUNDU Cyprien
NTUYENABO Fidèle
BIZIMUNGU Téléphore
Famille KABUGA Félicien

Famille MUNYAZIBONEYE

Famille MUNYEMANA

Autres personnes

Famille UWIHOREYE (Colonel)

NGARAMBE
Famille MUNYANSHONGORE Charles
Vitar et famille
Famille NGARAMBE Murwanashyaka
MANIRIHO Faustina
RUZINDANA Augustin
Famille MUGENZI Justin
MUNYASHONGORE Charles
MUTETIWOBO Delphine
USANASE Carole
RUZINDANA Augustin
UZAMUKUNDA Venant
RUZINDANA Octave
RUZINDANA Jules-César
RUZINDANA Napoléon
RUZINDANA Cassandre
NDAZIBONEYE Rina
MUHOZA Augustin
MUNYAMPUNDU Cyprien
NYIRAGUKURA Marie-Claire
RUKUNDO Jean de Dieu
MUKUNZI Viateur
INDABIRE Liliane
NYIRARUKUNDO Liberate
MUKANDAGUIMANA Mchilde
MUGIRANEZA Patrick
MUGABUHAMYE Robert
MUTONIWASE
NDIZIYE Victor
ISHIMWE Stella
NGARAMBE Joseph
MUNYEMANA Judith
MUNYEMANA Favorite
MUNYEMANA Olivier
GAKUMBA Pierre

Ministre de la Santé (MRND)
Ministre de l'Enseignement supérieur (MRND)
Ministre du Plan (MRND)
Ministre des Transports et des Communications (MRND)
Ministre de la Jeunesse (MRND)
Ministre du Commerce, de l'Industrie et de l'Artisanat (PL pro-Habyarimana)
Ex-Premier ministre (MRND)
Ancien directeur de Radio Rwanda, responsable de la Radio RTLM (CDR)
Professeur à l'Université Nyakinama, ancien ministre de l'Information (MDR)
Ancien ministre à la présidence (MRND), actuel directeur de la SONARWA
Procureur général auprès de la Cour de cassation
Ancien gouverneur de la BNR
Famille du général-major Déogratias Nsabimana, chef d'état-major, mort dans l'avion présidentiel
Député au CND (MRND)
Président de la Cour des comptes
Secrétaire général au Miniplan
Grand commerçant de Kigali, principal actionnaire de RTLM réfugié en Suisse, il en sera expulsé en septembre
Son épouse fait partie du service du protocole du président Juvénal Habyarimana
Présidence de la République

Ex-chef des opérations des FAR à Ruhengeri lors de sa prise par le -FPR le 23 janvier 1991, emprisonné ensuite à la prison de Kigali, il fut libéré en février 1992 dans le cadre de la loi d'amnistie
Gérant d'Africonsult
Grand entrepreneur de Kigali
Juriste à la CCR
Homme d'affaires
Haut fonctionnaire Miniplan
ex-gouverneur BNR, directeur BUNEP
??
Entrepreneur
Infirmière
Bébé
Directeur BUNEP
Ménagère
Elève
Elève
Ecolier
Ecolière
Elève
Elève
Député
Infirmière
Elève
Elève
Ménagère
Commerçante
Ecolier
Ecolier
Ecole maternelle
Ecole maternelle
Bébé
Directeur Intercontact
Agent de BACAR
Ecolière
Ecolier
Agent de banque populaire

UNANYIRIBIRA
GAKUMBA Roger
MUREKEZI Venar
MUTABAZI Jean-L
HABAMENSHI-K
HABAMENSHI-C
HABAMENSHI-R
HABAMENSHI-L
UWIZEYE Agathe
UWINEZA Anicet
UZAMUKUNDA
UWIMBABAZI G
UGIRANEZA Gr
UWINEZA Diane
NYIRANDUWAN
HABINEZA Guy
UWINEZA Franci
NSIMBA Mukelw
NSIMBA Jessica
HAKUZIMANA I
DUKUZIMANA I
NIBIZI Jules
MUTUYIMANA
MUTIMUTUYE
MUKANKUSI CI
AKINEZA Assun
RUKARA Hugue
NYIRABARIND
BIZIMUNGU Na
BIZIMUNGU Ju
BIZIMUNGU Et
BIZIMUNGU Te
KANZIGA Espé
BIZIMUNGU Li
BIZIMUNGU Ti
BIZIMUNGU D
BIZIMUNGU A
BIZIMUNGU R
HABIMANA D
NTEZIRYAYO
NYIRABYAGO
NTEZIRYAYO
NTEZIRYAYO
NTEZIRYAYO
NTEZIRYAYO
BYIRINGIRO J
BAZILISA Ben
MUNGWANEZ
UWANYUZE /
UMUHIRE An
UWASE Anne
ISHIMWE Ren
MANIRIHO F
USANASE Me
HABINEZA Je
INGABIRE Jo
RUZINDANA
NKURUNZIZ
IMANIRIHO /
NYIRASAFI
MAJAMBERE
NABAHWEJE
NDAGUJIMA
MUKANDEK
NYUBAHWI
NYIGENA V
NYIRAHUMI
UMUBYEYI
UWAMAHOI

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FAITS ET DOCUMENTS

UNANYIRIBIRA Mediatrice	Médecin sans frontière
GAKUMBA Roger	Ecole maternelle
MUREKEZI Venant	Entrepreneur
MUTABAZI Jean-Claude	Elève
HABAMENSHI-KAYISENGE Callinie	Ménagère
HABAMENSHI Callixte	Retraite-fonctionnaire
HABAMENSHI René-Maurice	Agent Paternal International
HABAMENSHI Liliane	Fonctionnaire
UWIZEYE Agathe	Ménagère
UWINEZA Annick	Enfant
UZAMUKUNDA Jeanette	Ménagère
UWIMBABAZI Geminah	Ecolière
UGIRANEZA Grâce	Ecolière
UWINEZA Diane	Ecolière
NYIRANDUWAMUNGU Marceline	Agent UBIR (Réunion des banques populaires du Rwanda)
HABINEZA Guy Raymond	Ecolier
UWINEZA Francine	Ecole maternelle
NSIMBA Mulebwa	Secrétaire
NSIMBA Jessica	Enfant
HAKUZIMANA Dativa	Agent de l'Etat, Fonction publique
DUKUZIMANA Justine	Elève
NIBIZI Jules	Ecolier
MUTUYIMANA Juliette	Ecolière
MUTIMUTUYE Ines-Joy	Ecolière
MUKANKUSI Clémence	Ministère du Plan
AKINEZA Assumpta	Elève
RUKARA Hugues	Elève
NYIRABARINDA Marianne	Infirmière
BIZIMUNGU Nadine	Elève
BIZIMUNGU Justin	Ecolier
BIZIMUNGU Eric	Petit enfant
BIZIMUNGU Telesphore	Ministère du Plan
KANZIGA Espérance	Femme d'affaires - Artisanal
BIZIMUNGU Landry	Elève
BIZIMUNGU Thibault	Elève
BIZIMUNGU Davy	Ecolier
BIZIMUNGU Auby	Ecolier
BIZIMUNGU Rémy	Bébé
HABIMANA Deo	Etudiant
NTEZIRYAYO Simcon	SONARWA
NYIRABYAGO Immaculée	Femme d'affaires
NTEZIRYAYO Aline	Elève
NTEZIRYAYO Bertrand	Elève
NTEZIRYAYO Charles	Ecolier
NTEZIRYAYO Diane	Ecolière
BYIRINGIRO Jean-Baptiste	Consultant Banque mondiale
BAZILISA Bernadette	Infirmière
MUNGWANEZA A-Bernard	Elève
UWANYUZE Aline-Delphine	Elève
UMUHIRE Annie-Gisèle	Ecolière
UWASE Anne-Mireille	Ecolière
ISHIMWE René-Bruce	Ecole maternelle
MANIRIHO Faustin	Ministère du Plan
USANASE Mediatrice	Elève
HABINEZA Jean-Louis	Ecolier
INGABIRE Josephine	Ecolière
RUZINDANA Richard	Ecolier
NKURUNZIZA Olivier	Ecolier
IMANIRIHO Aurore	Ecole maternelle
NYIRASAFARI Gaudence	Elève
MAJAMBERE Marie-Josée	Fonctionnaire T.P.
NABAHWEJE Rahul	Ménagère
NDAGUJIMANA Cyprien	Ministère T.P. & Énergie
MUKANDEKEZI Martine	Secrétaire de Direction PNAS
NIYUBAHWE Agrippine	Ecole maternelle
NIYIGENA Vital	Ecole maternelle
NYIRAHUMUZE Daphrose	Ministère de la Santé
UMUBYEYI Espérance	Ecolière
UWAMAHORO Sandrine	Ecolière

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LES CRISES POLITIQUES AU BURUNDI ET AU RWANDA

IRAGUHO Benjamin	Ecole maternelle
MBARUSHIMANA Eugène	Agent de société
MBARUSHIMANA Wiaifred	Agent d'ETS
NTAGERURA	
INEZA Leandre	
NTAWARI Alain	
ISHIMWE Agne	
MUKAKALISA Agnès	
COLONEL UWIHOREYE	
NSHUTI	
KAMPONDO	
UWIHOREYE	
KAMPIRE	
NSABIMANA	
NSABIMANA Alice	
NSABIMANA Yvonne	
NSABIMANA Josiane	
NSABIMANA Fabrice	
Mme NZABONIMPA	
HAKIZIMANA André	
NYTRASHINYUMURWA Immaculée	
MUKARUSAGARA Léonie	
MPUYENABO Fidèle	Elève
HABINCUTI Alain	
Mme MPUYENABO Louise	Enfant
UWAMAHORO	Enfant
NTWALI	1er conseiller ambassade du Burundi
NDAYISABA Léopold	2 enfants - 2 élèves
Mme NDAYISABA	
NYIRABAGENZI Laurence	
Mme NAHIMANA	Ministre désigné et professeur Université
NAHIMANA Ferdinand	Elève
MUKUNDENTE Gaudence	Elève
INGABIRE Laurent	Elève
SABANE Delphine	Enfant
Dominique MUSHATSI	Procureur général
NKUBITO Alphonse Marie	
Mme BANGURA	
NTWARI Sylvain	
KAMPIRE	
MUTABAZI Mbangura	Elève
RUGAMBA	Elève
NSANZIBANA Pierre	
Mme NSANZIMANA Thérèse	Elève
NSANZIMANA Liliane	Elève
NSANZIMANA Pascaline	Elève
NSANZIMANA Etienne	Elève
NSANZIMANA Olivier	Professeur
NDENGEJAHU	
Mme NDEGEJAHU	Elève
NDENGEJAHU Henri Michel	Elève
MUKAKALISA Céline	Enfant
UMULERWA Alice	Enfant
UWAMAHORO Redempta	Enfant
NSANZIMANA Sylvestre	Conseiller à la Présidence
Mme BWANAKZYE Bibiane	Agent de banque
MUREMANYUNDO Vital	Agent de banque
Mme MUREMANYUNDO	
MUREMANYUNDO Brice	Enfant
NYINAWASE Polcherie	Agent de Transintra
BWANAKWERI Eric	Elève
MBARUSHIMANA Arnaud	Elève
MUSANAMARIYA Anabelle	Elève
AYIRWANDA Bethina	Enfant
NSANZIMANA Amandu	Elève
Mme KABUGA Joséphine	
UWAMARIYA Bernadette	Enfant
UWIMANA Séraphine	Elève
TWAGIRIHIRWE Claudine	Elève

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FAITS ET DOCUMENTS

UWIIHIRE Angélique	Elève
SIBOMANA Jean de Dieu	Elève
HABUMUKIZA Alain Gilbert	Elève
NYANGABO Alexandre	Elève
MUKANGENZI Annonciata	Elève
TUMUSIGE Geneviève	Elève
Mme NGIRABATWARE Félicite	Agent d'entreprise
UWIMANA Daisy Anne Pascale	
NGIRABATWARI	Enfant
MUGABO Jean Philippe Lionel	
NGIRABATWARI	Enfant
MUZIRANENGE Stacy Elodie	Enfant



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:	☐ Trial Chamber I N. M. Diallo	☒ Trial Chamber II R. N. Kouambo	☐ Trial Chamber III C. K. Hometowu
	☒ OIC, JLSD P. Besnier	☐ OIC, JPU C. K. Hometowu	☐ Appeals Chamber / The Hague K. K. A. Afande R. Muzigo-Morrison
From:	☒ Chamber II (names)	☐ Defence (names)	☐ Prosecutor's Office (names)
Case Name:	The Prosecutor vs. NGIRABATWARE Augustin		Case Number: ICTR-99-54-T
Dates:	Transmitted: 15 July 2010		Document's date: 15 July 2010
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Title of Document:	DECISION ON PROSECUTOR'S MOTION FOR JUDICIAL NOTICE OF FACTS OF COMMON KNOWLEDGE		
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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

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

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☐ The OTP is overseeing translation. The document is submitted for translation to: ☐ The Language Services Section of the ICTR / Arusha. ☐ The Language Services Section of the ICTR / The Hague. ☐ An accredited service for translation; see details below: Name of contact person: Name of service: Address: E-mail / Tel. / Fax:	☐ DEFENCE 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)

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