

## SHORT GUIDE FOR FILING OF DOCUMENTS BEFORE THE MECHANISM

1. Consult the Practice Direction on filing MICT/7/Rev.2 for answers to basic filing questions, including the proper “suffix” to include in the case number (e.g., case numbers that would have had the suffix “R77” before the ICTY, will have “R90” in the Mechanism). Please contact the relevant branch of the Mechanism Registry if further clarification is required.

### 2. Submission of filings:

A) Where possible, filings should be transmitted electronically to the Mechanism Registry. On an exceptional basis, filings may be submitted in paper format by fax, by hand or by post.

B) Mechanism records submitted for filing must be accompanied by the standardised transmission sheet.

C) Filings should be submitted to the dedicated Mechanism Judicial Filings inbox:

Mechanism Arusha email address: [JudicialFilingsArusha@un.org](mailto:JudicialFilingsArusha@un.org)

Mechanism The Hague email address: [JudicialFilingsHague@un.org](mailto:JudicialFilingsHague@un.org)

D) Attachments to filings should be submitted as follows:

- When a document and its attachment(s) have the same security classification level (*i.e.* unclassified, confidential, strictly confidential, *ex parte*), they should be submitted as a single electronic file.
- For filings that include annex(es) with a security level different from the main document (*e.g.* unclassified main document with a confidential Annex A and an *ex parte* Annex B), a separate electronic file should be submitted for each document with a different security classification level.
- For filings too large to submit as email attachments (typically 10 MB for UN accounts), contact the relevant branch of the Mechanism Registry at the email above for advice on the most appropriate manner of submission.

E) Cross-filing procedure

- Should a filing pertain to more than one case, the submitter shall list the relevant case numbers on the transmission sheet and cover page of the filing.
- A filing may be cross-filed in more than one case within the same Mechanism branch, across the Mechanism’s two branches and across the Mechanism and the Tribunals. Where a filing is submitted for cross-filing in cases across the Mechanism’s two branches, the submitting party shall submit the filing in one email, with one transmission sheet identifying both branches, to both of the email addresses identified in Article 9(2) of the Practice Direction.
- The Registry shall file the filing into each of the listed case files as listed on the cover page, unless otherwise ordered by the Chamber. The filing will be processed and paginated in each case independently in accordance with the procedures described in the Practice Direction.

### **3. Service of filings:**

The Mechanism Registry shall serve copies of all filings electronically on the relevant Chamber, Parties, and other designated recipients, observing any restrictions for filings designated as confidential, strictly confidential and/or *ex parte*.

### **4. Official filing hours** (in the time zones of each respective branch):

A) The official filing hours of the Mechanism Hague Registry are 9:00 a.m. to 4:00 p.m., Monday through Friday excluding official UN holidays in The Hague. Filings may be submitted by email 24 hours per day, 7 days per week.

B) The official filing hours of the Mechanism Arusha Registry are 8:30 a.m. to 4:30 p.m. Monday through Thursday and 8:30 a.m. to 1:00 pm on Fridays, excluding official UN holidays in Arusha. Filings may be submitted by email 24 hours per day, 7 days per week.

C) Filings submitted during official filing hours will, where possible, be filed and processed on the day that they are submitted to the Mechanism Registry. Case-related documents submitted for filing and received after official filing hours will be filed and processed the next business day.

D) Filings submitted after official filing hours on the last business day of the week, or after official filing hours preceding a UN holiday, will be distributed on the next business day.

E) Any electronic record submitted for filing that is received after official filing hours but prior to midnight, local time at the responsible branch of the Mechanism, or on a weekend, holiday or other period during which the Mechanism Registry is closed, will be filed with the date on which it was received as indicated by the date and time in the Mechanism Registry's dedicated email inbox and will be distributed during the next working day.

### **5. Identification of the classification and review of case-related documents submitted for filing:**

A) The Mechanism Registry will conduct only a summary review of all submitted filings. The review will not include an examination of the content of the document to determine whether it contains confidential, strictly confidential and/or *ex parte* information. The obligation to identify filings as unclassified, confidential, strictly confidential, or *ex parte* rests exclusively with the submitting Party or Chamber.

B) The filing shall reflect the classification. Filings that contain confidential, strictly confidential or *ex parte* information shall be identified by the indication "CONFIDENTIAL", "CONFIDENTIAL AND EX PARTE" or "STRICTLY CONFIDENTIAL" in capital letters on the cover page of the document above the title. Filings submitted to which public access is not restricted shall be identified by the indication "UNCLASSIFIED" in capital letters on the cover page of the document above the title. The cover page of the filing shall reflect those Parties to whom the filing shall be distributed. The security classification level must also be indicated on the transmission sheet.

C) Full definition of the classification levels are contained in the Secretary-General's Bulletin "International Criminal Tribunals: information sensitivity, classification, handling and access" [ST/SGB/2012/3](#). For most sensitive documents, the "confidential" classification level should be sufficient. The use of the "strictly confidential" classification level should be used sparingly, and

restricted only to documents that meet the definition contained in paragraph 5.2(b) of the Secretary-General's Bulletin.

D) The Parties, Chambers, Judges and the President retain the option of submitting two versions, a confidential and a public redacted version of a filing. The public redacted filing shall be identified by the indication "REDACTED UNCLASSIFIED VERSION" in capital letters on the cover page of the document above the title. The submitter of an unclassified redacted version shall ensure that all confidential information is removed from the document and is replaced by the word "REDACTED" in square brackets.

E) The classification of filings may only be changed by an order or decision from a Chamber, a Judge or the President, pursuant to paragraph 6 of the Secretary-General's Bulletin. Following the filing of the order or decision on reclassification in the case file, the Mechanism Registry shall adjust the classification and re-distribute the filing accordingly.