

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-13-38-PT
Date: 8 February 2021
Original: English

IN THE TRIAL CHAMBER

Before: Judge Iain Bonomy, Pre-Trial Judge
Registrar: Mr. Abubacarr Tambadou
Date: 8 February 2021

PROSECUTOR

v.

FÉLICIEN KABUGA

PUBLIC

**REGISTRAR'S SUBMISSION IN RELATION TO THE
"ORDER FOR SUBMISSIONS RELATED TO REPRESENTATION"
OF 29 JANUARY 2021**

The Office of the Prosecutor:

Mr. Serge Brammertz

Counsel for Mr. Félicien Kabuga:

Me Emmanuel Altit

1. Pursuant to Rule 31(B) of the Rules of Procedure and Evidence of the International Residual Mechanism for Criminal Tribunals (“Rules” and “Mechanism”, respectively), I respectfully file this submission in relation to the Pre-Trial Judge’s “Order for Submissions Related to Representation”, dated 29 January 2021 (“Order”).¹
2. The Order requests additional information from the Registry, including whether: i) Mr. Kabuga wishes to have Counsel replaced; ii) suitable alternative counsel has been identified, either by Mr. Kabuga or the Registry, bearing in mind the requirements for assignment of counsel under the Rules and the Directive on the Assignment of Defence Counsel;² and, iii) new counsel could be assigned immediately upon any order withdrawing Counsel’s assignment.³
3. The Registry consulted Mr. Kabuga on 1 February 2021. I inform the Pre-Trial Judge that:
 - i. Mr. Kabuga confirmed his wish to have Counsel replaced;
 - ii. Mr. Kabuga requested that a new counsel be assigned (“Proposed Counsel”), and executed a Power of Attorney to this effect on 3 February 2021. Proposed Counsel meets the requirements for assignment as counsel before the Mechanism, and is already admitted to the Registry’s Rule 43 List of Counsel; and,
 - iii. Proposed Counsel confirmed his immediate availability to be assigned to represent Mr. Kabuga, in the event of an order instructing the Registrar to replace assigned Counsel, and proactively executed an Undertaking to represent Mr. Kabuga. At present, there is no impediment to the immediate assignment of Proposed Counsel.
4. I remain available should the Pre-Trial Judge require further information.

Respectfully submitted,



Abubacarr Tambadou
Registrar

Done this 8th day of February 2021,
At Arusha,
Tanzania.

¹ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-PT, Order for Submissions Related to Representation, public, 29 January 2021.

² Directive on the Assignment of Defence Counsel, 14 November 2012 (“Directive”).

³ Order, p.2.



I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À :	IRMCT Registry/ <i>Greffe du MIFRTP</i>	<input checked="" type="checkbox"/> Arusha/ <i>Arusha</i>	<input type="checkbox"/> The Hague/ <i>La Haye</i>
From/ De :	<input type="checkbox"/> President / <i>Président</i>	<input type="checkbox"/> Chambers / <i>Chambre</i>	<input type="checkbox"/> Prosecution/ <i>Bureau du Procureur</i>
	<input checked="" type="checkbox"/> Registrar / <i>Greffier</i>	<input type="checkbox"/> Other/ <i>Autre</i>	<input type="checkbox"/> Defence / <i>Défense</i>
Case Name/ Affaire :	Prosecutor v. Félicien Kabuga	Case Number/ Affaire n° :	MICT-13-38-PT
Date Created/ Daté du :	8 February 2021	Date transmitted/ Transmis le :	8 February 2021
		No. of Pages/ Nombre de pages :	2
Original Language / Langue de l'original :	<input checked="" type="checkbox"/> English/ <i>Anglais</i>	<input type="checkbox"/> French/ <i>Français</i>	<input type="checkbox"/> Other/Autre (specify/préciser) :
		<input type="checkbox"/> Kinyarwanda / <i>B/C/S</i>	
Title of Document/ Titre du document :	Registrar's Submission in Relation to the "Order for Submissions Related to Representation" of 29 January 2021		
Classification Level/ Catégories de classification :	<input checked="" type="checkbox"/> Unclassified/ <i>Non classifié</i>	<input type="checkbox"/> Ex Parte Defence excluded/ <i>Défense exclue</i>	<input type="checkbox"/> Ex Parte Prosecution excluded/ <i>Bureau du Procureur exclu</i>
	<input type="checkbox"/> Confidential/ <i>Confidentiel</i>	<input type="checkbox"/> Ex Parte R86(H) applicant excluded/ <i>Art. 86 H) requérant exclu</i>	<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ <i>Amicus curiae exclu</i>
	<input type="checkbox"/> Strictly Confidential/ <i>Strictement confidentiel</i>	<input type="checkbox"/> Ex Parte other exclusion/ <i>autre(s) partie(s) exclue(s)</i> (specify/préciser) :	
Document type/ Type de document :			
<input type="checkbox"/> Motion/ <i>Requête</i>	<input type="checkbox"/> Judgement/ <i>Jugement/Arrêt</i>	<input type="checkbox"/> Book of Authorities/ <i>Recueil de sources</i>	<input type="checkbox"/> Warrant/ <i>Mandat</i>
<input type="checkbox"/> Decision/ <i>Décision</i>	<input type="checkbox"/> Submission from parties/ <i>Écritures déposées par des parties</i>	<input type="checkbox"/> Affidavit/ <i>Déclaration sous serment</i>	<input type="checkbox"/> Notice of Appeal/ <i>Acte d'appel</i>
<input type="checkbox"/> Order/ <i>Ordonnance</i>	<input checked="" type="checkbox"/> Submission from non-parties/ <i>Écritures déposées par des tiers</i>	<input type="checkbox"/> Indictment/ <i>Acte d'accusation</i>	

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

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

Send completed transmission sheet to/ *Veillez soumettre cette fiche dûment remplie à :*

JudicialFilingsArusha@un.org OR/ *OU* JudicialFilingsHague@un.org

Rev: August 2019/ *Rév. : Août 2019*