

**UNITED
NATIONS**



International Residual Mechanism for
Criminal Tribunals

Case No. MICT-13-38-PT

Date: 19 March 2021

Original: English

BEFORE THE TRIAL CHAMBER

Before: Judge Iain Bonomy, Presiding
Judge Graciela Susana Gatti Santana
Judge Elizabeth Ibanda-Nahamya

Registrar: Abubacarr Tambadou

PROSECUTOR

v.

FÉLICIEN KABUGA

PUBLIC

**PROSECUTION RESPONSE TO DEFENCE SUBMISSIONS
FOR MARCH 2021 STATUS CONFERENCE**

The Office of the Prosecutor

Serge Brammertz

Counsel for Félicien Kabuga

Emmanuel Altit

1. Pursuant to the 9 March 2021 order concerning the modified procedure in lieu of a status conference,¹ the Prosecution makes the following response to the Defence's written submissions.²

A. Independent medical examinations

2. The Prosecution's observations concerning further independent medical examinations are set out in the Prosecution's confidential filing of 15 February 2021. The Prosecution has not received all information concerning the Accused's medical situation, since some information has been redacted *vis-à-vis* the Prosecution.

B. Proposed stay of proceedings

3. The Defence's submission that the proceedings be stayed³ is premature and insufficiently articulated. Nothing on the record available to the Prosecution suggests that such extreme relief is warranted. The information provided by the Defence does not allow the Prosecution to respond appropriately, nor allow the Trial Chamber to fairly adjudicate such a fundamental question. This is a matter that can be considered only after full independent medical evaluation and adequate submissions from the parties.

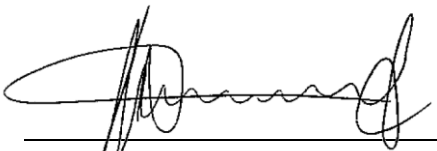
C. Provisional release motion

4. The Prosecution will respond to any future request for provisional release⁴ at the appropriate time.

D. Disclosure

5. The Prosecution today disclosed a first batch of 64 documents, plus translations where available, pursuant to Rule 73(A).

Word Count: 252



Serge Brammertz
Prosecutor

Dated this 19th day of March 2021
The Hague, The Netherlands

¹ Order Regarding Commencement and Conduct of the Status Conference, 9 March 2021 (public with public and confidential annexes).

² Soumissions de la Défense présentées à la suite de l'ordonnance du Juge de la mise en état du 9 mars 2021, 15 March 2021 (confidential and public redacted with confidential annex) ("Defence Submissions").

³ Defence Submissions, paras.24-28.

⁴ Defence Submissions, para.29.



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