



Mechanism for International Criminal Tribunals

Case No: MICT-13-43

Date: 19 June 2015

Original: English

**SINGLE JUDGE**

**Before: Judge Vagn Joensen, Single Judge**

**Registrar: Mr. John Hocking**

*In Re.*

**The Prosecutor v. François-Xavier Nzuwonemeye**

*PUBLIC*

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**REGISTRAR'S RULE 31(B) SUBMISSION PURSUANT TO THE  
SINGLE JUDGE'S DECISION OF 19 MAY 2015**

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**The Office of the Prosecutor**

Hassan B. Jallow  
Richard Karegyesa  
Sunkarie Ballah-Conteh

**Counsel for François-Xavier Nzuwonemeye**

Chief Charles Taku  
Beth S. Lyons  
Tharcisse Gatarama

Received by the Registry  
Mechanism for International Criminal Tribunals  
19/06/2015 08:01

A handwritten signature in black ink, appearing to read 'McCall' followed by a flourish.

1. Pursuant to Rule 31(B) of the Rules of Procedure and Evidence of the Mechanism for International Criminal Tribunals (“Rules” and “Mechanism”, respectively), and the Decision of the Single Judge rendered on 19 May 2015,<sup>1</sup> the Registrar brings the following observations to the attention of the Single Judge.
2. On 18 February 2015, Mr. Nzuwonemeye filed a motion for compensation and damages based upon alleged violations of his fair trial rights.<sup>2</sup> The Prosecution filed its response on 4 March 2015.<sup>3</sup> Mr. Nzuwonemeye filed his reply on 9 March 2015.<sup>4</sup>
3. On 19 May 2015, the Single Judge requested the parties to make submissions on “whether a claim for compensation for an alleged violation of a fair trial right may be raised after the criminal proceedings have been completed by a trial or appeal judgement which does not specifically authorise that the matter be raised”.<sup>5</sup> The Single Judge also invited the Registrar “to provide submissions, if any, by 19 June 2015”.<sup>6</sup>
4. The Registrar does not take a position on the question of whether specific authorisation of claims is required.
5. The Registrar, however, respectfully requests that he be permitted to submit observations on the substance of Mr. Nzuwonemeye’s compensation claim, including information regarding relevant jurisprudence of the International Criminal Tribunal for Rwanda,<sup>7</sup> should the claim advance to be considered on its merits.

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<sup>1</sup> *The Prosecutor v. Nzuwonemeye*, Case No. MICT-13-43, Decision on Request for Leave to Exceed the Word Limits for Motion for Compensation and Damages for Violations of the Fundamental Rights of F.X. Nzuwonemeye and Invitation to Make Further Submissions (“Decision”), 19 May 2015, p. 5.

<sup>2</sup> *The Prosecutor v. Nzuwonemeye*, Case No. MICT-13-43, Motion for Compensation and Damages for Violations of the Fundamental Rights of F.X. Nzuwonemeye, Pursuant to Security Council Resolution 1966 (2010).

<sup>3</sup> *The Prosecutor v. Nzuwonemeye*, Case No. MICT-13-43, Prosecutor’s Consolidated Response to Motion for Compensation and Damages for Violations of the Fundamental Rights of F.X. Nzuwonemeye and Request for Leave to Exceed the Word Limits for Motion for Compensation and Damages for Violations of the Fundamental Rights of F.X. Nzuwonemeye, 4 March 2015.

<sup>4</sup> *The Prosecutor v. Nzuwonemeye*, Case No. MICT-13-43, Reply to Prosecutor’s Consolidated Response to Request for Leave to Exceed the Word Limits and Motion for Compensation and Damages for Violations of the Fundamental Rights of F.X. Nzuwonemeye, Pursuant to Security Council Resolution 1966 (2010), 9 March 2015.

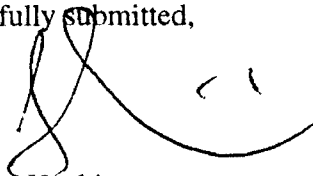
<sup>5</sup> Decision, para. 23.

<sup>6</sup> *Id.*, p. 5.

<sup>7</sup> See e.g., *In Re. André Ntagerura*, Case No. ICTR-99-46-A28, Decision on Motion to Appeal the President’s Decision of 31 March 2008 and the Decision of the Trial Chamber III of 15 May 2008, 18 November 2008 (holding that residence in the Arusha safe house does not constitute a deprivation of liberty or freedom of movement).

6. The Registrar remains at the Single Judge's disposal should further information be required.

Respectfully submitted,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke and a small flourish.

John Hocking  
Registrar

Dated this 19<sup>th</sup> day of June, 2015  
At The Hague,  
The Netherlands.