

SHORT GUIDE FOR FILING OF DOCUMENTS BEFORE THE MECHANISM

1. General:

The procedure for inclusion of documents submitted for filing into the judicial records of the Mechanism is regulated by the Practice Direction on Filings made before the International Residual Mechanism for Criminal Tribunals MICT/7/Rev.3 (“Practice Direction”). Please consult the Practice Direction for guidance on standard filing procedures, including information on the use of case number suffixes. If further clarification is required, please contact the relevant branch of the Mechanism Registry by sending an e-mail to the Judicial Filings Inbox at the respective branches:

Mechanism Arusha email address:

JudicialFilingsArusha@un.org

Mechanism The Hague email address:

JudicialFilingsHague@un.org

2. Submission of filings:

- A. A document submitted for inclusion into judicial records of the Mechanism (“document”) should be transmitted electronically to the Registry through the dedicated Mechanism Judicial Filings inbox as indicated above. On an exceptional basis, a document may be submitted for filing in paper format.
- B. Documents submitted for filing must be accompanied by the standardised transmission sheet which is available on the following web page: <https://www.irmct.org/en/basic-documents/requests-assistance>.
- C. A document shall be submitted in one of the official languages of the Mechanism (English or French) or, if necessary, in another language, with an attached translation into the one of the official languages of the Mechanism.
- D. A submitted document must have an accurately indicated case number, security classification, date and a signature.
- E. Annexes to documents should be submitted as follows:
 - When a document and its annex(es) have the same security classification level (*i.e.* the document and annex(es) are all public, all confidential, or all confidential and *ex parte*), they should be submitted as a single electronic file.
 - For documents that include annex(es) with a security level different from the main document (*e.g.* the main document is public but has a

confidential Annex A, and a confidential and *ex parte* Annex B), a separate electronic file must be submitted for each, indicating the security classification level.

- Each Annex must have a cover page identifying it as the Annex in question (Annex A, Annex B, Annex C, ...) and indicating the appropriate security classification.
- For documents too large to submit as email attachments (typically 10 MB for UN accounts), please contact the relevant branch of the Registry at the email above for advice on the most appropriate manner of submission.

F. Cross-filing procedure

Should a document be intended to be filed in more than one case, the submitter shall list the relevant case numbers on the transmission sheet and cover page of the filing. NB: The Registry will file such document into each of the case files listed on the cover page and indicated on the transmission sheet. The document will be processed and paginated in each case independently in accordance with the Practice Direction.

3. Service of filings:

The 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 and/or confidential and *ex parte*.

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

- A. The official filing hours of The Hague Registry are 9:00 a.m. to 4:00 p.m., Monday through Friday excluding official UN holidays in The Hague. Documents may be submitted by email 24 hours per day, 7 days per week.
- B. The official filing hours of the 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. Documents submitted during official filing hours will be filed and processed on the day that they are submitted to the Registry and those submitted and received after official filing hours will be filed and processed the next business day.

- D. Documents 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. Should the service of the filing within the timelines indicated above in 4(C) not be possible, the Registry will inform the submitting entity as soon as possible about the expected delay and the reasons for it.
- F. The filing date of a document is the date that it was received as indicated by the date and time in the Registry's dedicated Judicial Filings inbox at the respective branch. Please note that any electronic document submitted for filing that is received after official filing hours but prior to midnight, local time at the respective branch of the Mechanism will be considered as filed with the date on which it was received in the dedicated Judicial Filings inbox, regardless of the fact that the document will be distributed the next working day.
- G. If a document submitted for filing is re-submitted before the original version of the document has been processed by the Registry, the date and time of receipt of the document to be considered is the one of its latest re-submission.

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

- A. Pursuant to Article 8(6) of the Practice Direction, the obligation to identify filings as public, confidential or confidential and *ex parte* rests with the submitting entity. The Registry will conduct only a summary review of documents submitted for filing to ensure that the technical requirements for submission are met. The review will not include an examination of the content of the document to determine whether it contains confidential and/or confidential and *ex parte* information.
- B. The submitted document shall reflect the designated security classification. Filings that contain confidential or confidential and *ex parte* information shall be identified by the indication "CONFIDENTIAL" or "CONFIDENTIAL AND EX PARTE" 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 "PUBLIC" 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. The submitting entity retains the option of submitting a confidential and a public redacted version of a document. The public redacted version of the document shall be identified by the indication "PUBLIC REDACTED

VERSION” in capital letters on the cover page of the document above the title, and is a separate, newly created document. The submitter of a public redacted version shall ensure that all confidential information is removed from the document and is replaced by the word “REDACTED” in square brackets, where possible.

- D. Should it not be possible to replace the text with the words “REDACTED”, the submitting entity may need to submit the original document with electronically manipulated or blacked-out portions of the text. Such a document should be submitted for filing as an annex to a notice on filing of the public redacted version of the document or any other kind of a cover submission.
- E. When preparing an electronically manipulated or blacked-out portions of the text of the original document, the submitting entity must ensure that the electronically manipulated or blacked-out portions of the text are not reversible or electronically searchable.
- F. Pursuant to Article 13(1) of the Practice Direction, the security classification levels of filings may only be changed by an order or decision from a Chamber, a Judge or the President. Following the filing of the order or decision on reclassification, the Registry shall amend the classification and re-distribute the filing accordingly. Exceptions to this principle are set out in Article 13(2) and 13(3) of the Practice Direction.
- G. In case of any subsequently detected security concerns related to a public filing raised by a relevant Chamber or a Judge, the President, Parties or the Registry, and pursuant to Article 13(1) of the Practice Direction, the Registry may temporarily remove the filing in question from the public domain pending judicial determination.