

**UNITED
NATIONS**



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of the
Former Yugoslavia since 1991

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**DIRECTIVE FOR THE COURT MANAGEMENT AND SUPPORT SERVICES SECTION
JUDICIAL SERVICES SECTION
REGISTRY**

(IT/121/REV.1)

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TABLE OF CONTENTS

	<i>Page</i>
Preamble	4
Part I: Introduction	
Article 1 Entry Into Force.....	4
Article 2 Amendments.....	4
Article 3 Definitions.....	4
Part II: Court Management	
Article 4 Composition of the Court Management and Support Services Section.....	5
Article 5 Oversight of CMSS.....	5
Article 6 Declaration and General Duties of CMSS Staff.....	6
Part III: Records	
Article 7 Judicial Records.....	6
Part IV: Filing, Reproduction and Transmission of Documents	
Article 8 General Functions.....	7
Article 9 Official Documents of The Tribunal.....	8
Article 9 <i>bis</i> Submission of Documents by a Party, an Amicus Curiae or State Pursuant to Rule 108 <i>bis</i>	8
Article 10 Composition of Case Files.....	9
Article 11 Principles Governing Management of Confidential or Ex parte Documents.....	9
Article 12 Case Indices.....	File 10
Part V: Correspondence	
Article 13 Official Correspondence.....	10
Article 14 Filing of Correspondence and Related Documents.....	10
Part VI: Judicial Database Record Book	
Article 15 Judicial Database Record Book	10
Part VII: Management of and Access to Audio-Visual Records	
Article 16 Filing, Duplication, and Storage of Materials other than Written Documents.....	11
Part VIII: Certified Copies	
Article 17 Certified Copies.....	11
Part IX: Court Management and Support Services Charges	

Article 18	Court Management and Support Services Fees	12
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Part X: Case Opening and Assignment of Cases

Article 19	Case Opening.....	12
Article 20	Assignment of Cases.....	14

Part XI: Provision of Documents

Article 21	General Principles.....	14
Article 22	Judicial Forms.....	14
Article 23	Filing with the Court.....	14
Article 24	Electronic Filings.....	15
Article 24bis	Service of Filings.....	15
Article 25	Filing Hours and Formats.....	15
Article 26	Untimely Filings.....	16
Article 27	Urgent Measures.....	16
Article 28	Identification and Review of Filings.....	16

Part XII: Public Access to Judicial Records of the Tribunal

Article 29	Principles of Publicity.....	17
Article 30	Public Access to the Judicial Records of the Tribunal.....	17

Part XIII: Scheduling Judicial Activities

Article 31	Calendar.....	18
Article 32	Scheduling.....	18
Article 33	[reserved].....	19
Article 34	[reserved].....	19
Article 35	[reserved].....	19
Article 36	Failure to Comply with an Order.....	19

Part XIV: Hearings

Article 37	Management of Hearings.....	19
Article 38	Court Officer.....	19
Article 39	Exhibits.....	20
Article 40	Witness Lists.....	20
Article 41	Minutes of Proceedings.....	20

Part XV: Hearings Conducted in other Venues or Electronically

Article 42	Hearings Outside The Hague.....	20
Article 43	Deposition and Testimony by Video-conference Link.....	20

PREAMBLE

The Registrar of the International Criminal Tribunal for the Former Yugoslavia (Tribunal),

CONSIDERING the Statute of the Tribunal as adopted by the Security Council under Resolution 827 (1993) of 25 May 1993 as amended, and in particular Article 17 thereof;

CONSIDERING the Rules of Procedure and Evidence as adopted by the Tribunal on 11 February 1994 and further amended;

HEREBY ISSUES REVISION 1 OF THE DIRECTIVE FOR THE COURT MANAGEMENT AND SUPPORT SERVICES SECTION

PART I: INTRODUCTION

Article 1 Entry Into Force

The Directive shall enter into force on 15 May 2007.

Article 2 Amendments

The Registrar may amend the Directive in consultation with the President or the Judges.

Article 3 Definitions

In this Directive the masculine shall include the feminine, the singular the plural, and vice-versa.

The following terms shall mean:

Chamber(s): Trial Chamber(s) and/or the Appeals Chamber of the Tribunal;

CMSS: The Court Management and Support Services Section of the Judicial Services Section of the Registry;

Defence: Counsel retained by the Accused or appointed by the Tribunal for the purpose of providing defence services to the Accused;

Folders: Refers either to the hard-copy case file or the electronic case file;

Judicial Database (JDB): The compilation of the electronic versions of all judicial records, developed and maintained by the Tribunal, accessible to and searchable by all parties to proceedings in the Tribunal.

Party: The Prosecutor or the Defence;

Prosecutor: The Prosecutor appointed pursuant to Article 16 of the Statute of the Tribunal adopted by Security Council Resolution 827 of 25 May 1993;

Registrar: The Registrar appointed pursuant to Article 17(3) of the Statute of the Tribunal adopted by Security Council Resolution 827 of 25 May 1993;

Rules: The Rules of Procedure and Evidence, adopted pursuant to Article 15 of the Statute of the Tribunal, entering into force on 14 March 1994, and further amended;

Tribunal: The Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established by Security Council Resolution 827 of 25 May 1993; and,

UNARMS: The United Nations Archives and Records Management Section.

PART II: COURT MANAGEMENT

Article 4

Composition of the Court Management and Support Services Section

The Court Management and Support Services Section (CMSS) is an organizational support entity of the Tribunal and falls within the organizational structure of the Registry. CMSS shall comprise the following:

1. The CMSS Management Team including the Chief, Deputy Chief, and Legal Coordinator;
2. The Court Officers Unit;
3. The Court Records Office;
4. The Courtroom Clerks (or Ushers) Unit;
5. The Judicial Archives Unit;
6. The Transcript Coordinators Unit; and
7. The Office of Document Management.

Article 5

Oversight of CMSS

1. The Deputy Registrar shall discharge his functions, in accordance with Rule 33*bis* of the Rules and under delegations made by the Registrar for, inter alia, the judicial departments of the Registry, including oversight of CMSS.
2. In carrying out his responsibilities, the Deputy Registrar may further delegate responsibility to CMSS consistent with this Directive, including but not limited to:

- a. Providing judicial support,
- b. Serving as a channel of communication between the Tribunal and States or Organizations,
- c. Maintaining the judicial archive of the Tribunal,
- d. Having custody of seals and stamps,
- e. Organising the proceedings of the Chambers, including making arrangements for distribution of documents, providing technical assistance and preparing minutes and records,
- f. Filing and distributing judgements, orders, requests, pleadings, and other official documents of the Tribunal,
- g. Ensuring that information concerning the Tribunal is publicly available, and
- h. Maintaining the Record Book, pursuant to Rule 36 of the Rules of Procedure and Evidence, and a summary of judicial activities.

Article 6

Declaration and General Duties of CMSS Staff

1. Before commencing their duties, the CMSS Chief and all CMSS officers and staff shall make a Solemn Declaration pursuant to Rule 32 of the Rules. They also shall acknowledge their solemn duty to not reveal to any source whatsoever any non-public information to which they may have access in their official work for the Tribunal. This obligation extends through the duration of their CMSS tenure and thereafter.
2. The CMSS Chief, officers, and staff are responsible for reporting diligently to the Deputy Registrar.
3. The CMSS Chief, officers, and staff shall:
 - a. Coordinate and provide support services for all court proceedings to ensure that the Judges and Chambers can effect the administration of justice;
 - b. Review, process, file, and distribute case documents;
 - c. Organize, maintain, secure, and archive all judicial records.

PART III: RECORDS

Article 7

Judicial Records

1. CMSS is responsible for maintaining, securing, and archiving the judicial records of the Tribunal.
2. The judicial records shall contain the following case-related items:
 - a. Paper and electronic case files maintained in accordance with Article 11, below;
 - b. Correspondence files maintained in accordance with Article 14, below;
 - c. The electronic Record Book including the “Summary of Judicial Activities Sheet” maintained in accordance with Rule 36 of the Rules and Article 16;

- d. Audio and video media, digital records, microfiches, photographs, and negatives maintained in accordance with Article 18;
 - e. Exhibits in paper, electronic, and other formats maintained in accordance with Article 39;
 - f. Transcripts in accordance with Rule 81 (A) of the Rules.
3. The official case files shall include no correspondence directly addressed to and/or from a Judge, Prosecutor, or Defence unless such correspondence is transmitted to the Registrar for purposes of filing it as a part of the official record. Case-related correspondence that is not part of the official case file shall be maintained separately by case as part of the judicial records.
 4. The judicial records may include records that are created by the Court Officers that relate to the judicial process but are not part of the official case files described in Article 14, such as court minutes, exhibit lists, and witness lists. The assigned Court Officer shall file the final confidential and public versions of exhibit and witness lists when a case is completed, appending them to the Certificate of Trial Record pursuant to Rule 109 of the Rules.
 5. The judicial records shall be secured by the Judicial Archives Unit staff. No file, exhibit, or recording in the custody of the archives may be reviewed or taken from any CMSS office or vault without registering access to the item in CMSS's records. CMSS shall develop and maintain a system for tracking and securing such records.
 6. The CMSS Court Records Office and Judicial Archives Unit staff shall be responsible for ensuring the segregation of ex parte and confidential items from the public items in the judicial records. Confidential and ex parte items shall be located in a secured section within the vault; Tribunal staff access to that section shall be highly restricted. All authorised persons who check out and take temporary custody from the judicial archives of any public, confidential, or ex parte item shall ensure that: (i) such item remains secured while in their custody regardless of the length of such custody; and (ii) no unauthorized persons shall have access to any ex parte or confidential item.
 7. The CMSS Court Records Office and Judicial Archives Unit staff, in cooperation with the relevant Court Officer, shall be responsible for ensuring the timely conversion of the status of items designated by the Court as confidential to public pursuant to the CMSS Records Retention Schedule, UNARMS guidelines and policies, and subject to orders issued by a Judge or Chambers. Conversely, the CMSS Court Records Office and Judicial Archives Unit staff shall be responsible, when any item designated by the Court as public is subsequently ordered by a Judge or Chambers reclassified as confidential, for promptly converting the status of such items to confidential.

PART IV: FILING, REPRODUCTION, AND TRANSMISSION OF DOCUMENTS

Article 8 General Functions

CMSS is responsible for carrying out the Registry's duties regarding the management, filing, reproduction, transmission, custody, and security of the judicial records of the Tribunal including:

1. Original documents as discussed in Article 9;
2. Transcripts and, in conjunction with the Audio-Visual Unit, audio/visual recordings of court proceedings; and
3. Other case-related documents and media.

Article 9
Official Documents of the Tribunal

1. The official documents of the Tribunal are:
 - a. Original documents integral to the Tribunal's proceedings and issued by the Tribunal, such as:
 - (i) Original documents issued by the Chambers bearing the signature of a Judge, and the Seal of the Tribunal;
 - (ii) Original documents issued by the Prosecutor bearing the signature of the Prosecutor or her designee;
 - (iii) Original documents issued by the Registry bearing the signature of the Registrar or his delegate and the stamp of the Tribunal;
 - (iv) All documents concerning cases before the Tribunal which are sent to the Tribunal by the Parties or by an amicus curiae and filed with CMSS;
 - (v) Translations of original documents duly certified by the Conference and Language Services Section (CLSS) of the Tribunal;
 - (vi) Documents stored in the Judicial Database dated 1 January 2005 or later; and
 - (vii) Such other documents as determined by the CMSS Chief in consultation to qualify for such status.
 - b. Copies of original documents as described in (a) which have been certified in accordance with the procedure set down in Article 17 of the present Directive.
2. CMSS shall ensure that every original case-related document issued by the Tribunal and filed with the CMSS Court Records Office conforms with the above requirements.

Article 9bis
Submission of Documents by a Party, an Amicus Curiae, or State Pursuant to Rule 108bis

1. In principle, all documents filed with CMSS will be in the official languages of the Tribunal, French or English. Parties may file a document in both official languages.¹
2. All Parties and amicus curiae shall comply with the requirements set forth in the Tribunal Practice Directions cited below:

¹ Chambers, in consultation with the Registrar, may waive this requirement for a self-represented accused and permit him or her to file documents in his or her native language.

- a. Practice Direction on the Procedure for the Review of Written Submission which Contain Obscene or otherwise Offensive Language; IT/240, 1 Nov. 2005;
- b. Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings before the International Tribunal; IT/155 Rev. 3, 16 September 2005;
- c. Practice Direction on Formal Requirements for Appeals from Judgement; IT/201, 7 March 2002;
- d. Practice Direction on the Length of Briefs and Motions, IT/184 Rev. 2, 16 September 2005;
- e. Information Concerning the Submission of Amicus Curiae Briefs, IT/122, 27 March 1997; and
- f. Provisional Practice Direction on the Application of an Electronic Court Management System, IT/239, Rev.1, 6 October 2005.

Article 10
Composition of Case Files

1. The Tribunal's paper case files contain all original formal documents filed in or pertaining to each case brought before a Judge, Chamber, or Tribunal President pursuant to the Rules. The Tribunal's electronic case document files contain scanned and electronic case files pertaining to each case brought before a Judge, Chamber, or Tribunal President.
2. Where an original document is relevant to more than one case, a copy of that original shall be prepared for and cross-filed into each of the related case files.
3. Each case file document shall be numbered sequentially and filed in accordance with the "Instructions Manual for the Registry: Court Management and Support Services Section," Version I/January 2001 (Instructions Manual for the Registry).
4. The title and the reference number of each document inserted in a folder must be noted in both the public and the confidential indices of the relevant case file.
5. Documents in more than one language are filed in accordance with the Instructions Manual for the Registry.

Article 11
Principles Governing Management of Confidential or Ex parte Documents

1. Case file documents classified as confidential or ex parte, in whole or in part, or which include words or phrases which preclude public disclosure, shall be classified and filed pursuant to Article 10 of this Directive. Such documents remain a part of the relevant case file, but they shall be maintained in the secured confidential area of the vault. Such folders shall not be accessible to the public. Where such documents are ex parte, they shall not be accessible to the excluded party or parties.
2. A certificate and/or an expurgated version shall replace the original documents in the public case file.

3. The procedure for creating confidential folders is set forth in the Instructions Manual for the Registry, which provides detailed instructions on all matters relating to the responsibilities of CMSS in case processing and administration.

Article 12 Case File Indices

1. Each case file shall contain an index that lists all documents filed in that case. Certain restrictions apply. Any document not classified as confidential that contains confidential information may be listed in the public index, provided that (i) the listing divulges no confidential information; and (ii) the confidential information does not appear in the public case file. Documents classified as confidential shall be listed only in a confidential index.
2. The document indices shall be inserted in the front of each folder of each case file. All of the public indices shall be collected together in a “Compilation of Indices.”

PART V: CORRESPONDENCE

Article 13 Official Correspondence

Official outgoing case-related correspondence of the Registry shall be signed by the Registrar, Deputy Registrar, or their authorized designees. A copy should be filed with CMSS.

Article 14 Filing of Correspondence and Related Documents

1. Pursuant to Article 11 of this Directive, all official case-related correspondence addressed to or received by the CMSS Court Records Office and this Tribunal shall be retained. For each case, a correspondence file shall be opened and maintained by the CMSS Court Records Office for this purpose.
2. The CMSS Court Records Office also shall file in similar fashion all official case-related correspondence sent by the Registrar, Deputy Registrar, and their designees, recording the name of the addressee and in due course attaching, where available, the proof of receipt to the file copy of the transmitted document.

PART VI: JUDICIAL DATABASE RECORD BOOK

Article 15 Judicial Database Record Book

The Judicial Database (JDB) shall constitute the electronic Record Book for each case required by Rule 36 of the Rules. This electronic Record Book is the successor to the manually maintained Record Book prepared in cases that predate implementation of the JDB.

PART VII: MANAGEMENT OF AND ACCESS TO AUDIO-VISUAL RECORDS

Article 16 Filing, Duplication, and Storage of Materials Other than Written Documents

1. All original case-related audio and video recordings or evidentiary objects filed with or produced by the Registry shall be secured, indexed, and archived pursuant to standards endorsed by UNARMS. For any particular case, all such materials shall be: (i) logged on a separate list; and (ii) maintained and secured in the custody of CMSS.
2. CMSS shall ensure access by the Chambers and by parties to relevant audio-visual records, subject to resource constraints, through a check-out system, by preparing copies, or through the JDB.
3. CMSS also shall ensure public access only to those audio-visual records from which all confidential information has been redacted.
4. CMSS shall anticipate the prospective physical deterioration of the audio-visual records over time and shall convert and/or replicate them in a timely manner pursuant to UNARMS archiving formats to preserve their integrity and to sustain the permanent record.
5. The practical mechanisms implementing this Article are set forth in the “Instructions Manual for the Registry: Court Management and Support Services Section.”
6. The filing, storage, archiving, and preservation of audio-visual and three-dimensional exhibits admitted into evidence shall be performed in accordance with Article 39 of this Directive and the relevant policies established by CMSS.

PART VIII: CERTIFIED COPIES

Article 17 Certified Copies

1. Certified copies of original case-related documents issued by the Tribunal must bear the stamp of the Tribunal and the signature of the Registrar or his authorized designee. Copies certified pursuant to this article shall be regarded as an exact and unaltered reproduction of the original.
2. At his discretion, the Registrar may utilize certificates, under conditions set forth in the “Instructions Manual for the Registry: Court Management and Support Section,” to certify

copies of original case-related documents. Any copy of an original case-related document covered by a certificate signed by the Registrar or his designee shall be considered a certified copy.

PART IX: COURT MANAGEMENT AND SUPPORT SERVICES CHARGES

Article 18

Court Management and Support Services Fees

1. The Registrar may establish and impose reasonable fees or conditions for CMSS services including, but not limited to, certifying copies of judgements, orders, minutes, transcripts, official documents, or extracts from the electronic Record Book and making copies of non-confidential audio-visual materials. When such fees are established, a description and schedule of them shall be made available on request from CMSS.
2. Upon written request to the Registrar, fees for such acts and services may be waived, if established for good cause.

PART X: CASE OPENING AND ASSIGNMENT OF CASES

Article 19

Case Opening

1. CMSS shall open a new case file upon receipt of:
 - a. An application for deferral under Rule 9 of the Rules; or
 - b. An indictment submitted and confirmed under Rule 47 of the Rules.
2. Upon receipt of any other application which does not relate to a pre-existing case, the documents relating to that application shall be filed in a miscellaneous file.
3. Only one case file shall be opened and maintained for each new case, regardless of the number of accused that are joined in a single indictment. If the Presiding Judge directs that there should be separate trials for the accused named in the indictment, the Registrar may instruct CMSS to sever the initial case file and assign new case numbers. A case file, whether public or confidential, may include several separate folders. Successive folders shall be numbered sequentially.
4. The following symbols shall be used in assigning a case number:

The case reference number (e.g. IT-06-33):

IT = International Tribunal;

- 06** = Calendar year the case was filed with the Tribunal; and
33 = Sequential number of the case.

The letters indicating the stage of the proceedings (e.g. IT-06-33-PT):

- I** = **Indictment/investigation:** From filing of the indictment to initial appearance of the accused;
- D** = **Deferral:** From filing of an application for deferral to decision on the application;
- PT** = **Pre-trial:** From the day of the initial appearance of the accused pursuant to Rule 62 of the Rules. In a case with multiple accused, a document concerning the one who has not yet made an initial appearance is filed under the letter I, whereas the documents concerning the other accused who have made an initial appearance are marked PT;
- T** = **Trial:** From the first status conference to the judgement. Exceptionally, any request pertaining to trial materials made after the judgement is also filed under T;
- Tbis** = **Trial bis:** For post-appeal trials ordered by the Appeals Chamber;
- A** = **Appeal:** From the first notice of appeal to the judgement on appeal;
- R** = **Review:** For review proceedings;
- ES** = **Enforcement of Sentence:** For proceedings involving the enforcement of sentences; and
- Misc** = **Miscellaneous:** For miscellaneous proceedings.

The letters and numbers indicating the stage of the proceedings with a reference to the Rules by Rule number (e.g. IT-06-33-R77):

- R61** = a procedure in case of failure to execute an arrest warrant;
- R77** = contempt proceedings;
- Tbis-R117** = proceedings before another Trial Chamber following referral by the Appeals Chamber in respect of additional charges;
- AR11bis** = appeal of a referral decision under Rule 11 *bis* of the Rules;
- AR72** = an interlocutory appeal of a decision of a Trial Chamber on a preliminary motion;
- AR72.1** = *idem*, but should several interlocutory appeals on the same rule be filed, a number indicates the chronological order of the filing regardless of which party has filed the appeal;

- AR73** = an interlocutory appeal of a decision of a Trial Chamber on motions other than preliminary motions;
- AR65** = an interlocutory appeal of a decision of a Trial Chamber on provisional release;
- AR77** = an interlocutory appeal of a decision of a Trial Chamber on a contempt conviction; and
- AR108bis** = an interlocutory appeal of a decision of a Trial Chamber in respect of a State.

Article 20
Assignment of Cases

1. Pursuant to an order issued by the President of the Tribunal, the Registrar will direct CMSS to assign each new case, or reassign an existing case, to a Judge or a Chamber. Case-related matters not otherwise assigned to a Judge or Chamber shall be transmitted to the Duty Judge pursuant to Rule 28 of the Rules. A copy of the designation shall be placed in the case file.
2. CMSS shall record the assignment or reassignment of a case to a Judge or a Chamber in the Judicial Database and make other necessary arrangements as required.

PART XI: PROVISION OF DOCUMENTS

Article 21
General Principles

All documents submitted by the Parties or the Judge or Chamber for inclusion in the case file discussed in Article 10 must be submitted to the CMSS Court Records Office for recording, filing, and distribution.

Article 22
Judicial Forms

The judicial forms used by the Tribunal shall be in a standard format issued by the Registry. They shall be available to Parties upon request.

Article 23
Filing with the Court

1. Case-related documents submitted for filing by Prosecution or Defence shall be transmitted electronically to the CMSS Court Records Office wherever possible. Parties other than Prosecution and Defence may opt to submit filings electronically, by fax, or in paper format by hand or by post.

2. The CMSS Court Records Office shall file all documents submitted in a case pursuant to the provisions of Article 10 of this Directive.
3. Except as provided in Article 25, para. 3, for documents under deadline, the date of filing is the date on which the document is officially filed on the case record in the CMSS Court Records Office.

Article 24 Electronic Filings

All documents filed electronically must comply with the technical standards set forth in the “Instructions for Electronic Filing” issued by the Chief of CMSS.

Article 24bis Service of Filings

1. CMSS shall serve copies of all filings on the relevant Chambers, Prosecution, Defence, and others as designated, observing any restrictions for filings designated as confidential or ex parte. Such filings shall be served electronically, except as provided in Section 3 of this article. Original filings received in paper format will be scanned by CMSS for conversion into electronic format. Filings received in electronic format shall be transmitted in electronic format. CMSS shall attach to all filings a notification form.
2. The notification form shall include the following data:
 - a. Case number;
 - b. Filing date;
 - c. Filing time;
 - d. Title of the filing;
 - e. Distribution date;
 - f. Registry page number;
 - g. Recipients of the filings; and
 - h. Nature of the filing, e.g. public, confidential, or ex parte (confidential)
3. In exceptional circumstances, where it is not possible to serve filings electronically, they shall be served by post or by hand with a notification form.
4. The notification data shall be indexed in the judicial records.

Article 25 Filing Hours and Formats

1. The business hours of the CMSS Court Records Office are 9:00 a.m. to 4:00 p.m., Monday through Friday excluding official holidays. Access to the electronic filing system for purposes of submitting documents electronically is available 24 hours per day, 7 days per week.

2. Paper filings submitted during regular business hours will be filed on the day they are submitted. Paper filings received after 4:00 p.m. will be processed and filed the morning of the next business day and shall be considered filed with the Registry at the time they are processed.
3. Electronic filings shall be logged as received at the date and time they are transmitted to and recorded by the Court's e-mail system. Parties that are bound by a filing deadline but unable to file by the close of business at 4:00 p.m. must submit their document electronically before 12:00 midnight in the Tribunal's time zone to comply with the filing deadline for that day, *explicitly* indicating the date of the deadline. Except as provided in Article 27, electronic filings received after 4:00 p.m. will be processed and distributed on the next business day.

Article 26 **Untimely Filings**

If a filing is submitted by a Party to CMSS after the date required for its submission, CMSS staff shall, unless otherwise instructed by the Chamber, accept and file the document. The Chamber will make the ultimate determination on the timeliness of the filing, and whether it can be considered.

Article 27 **Urgent Measures**

1. A Chamber or Party filing a document during regular business hours that requires urgent action by a Judge or Chambers shall proceed as follows:
 - a. If filing a paper document, personally deliver the document to the CMSS Court Records Office and explain the circumstances orally or in writing; or
 - b. If filing electronically, contact the CMSS Court Records Office and explain the circumstances at the time the document is transmitted for filing.
2. In true emergency situations, outside of regular business hours – *e.g.* matters arising under Rule 28(D)(i) – the Chamber or Party shall contact the Registry Duty officer.
3. Upon determination by the Chief of CMSS that the matter requires urgent attention, the CMSS Court Records Office shall process the document on an expedited basis and promptly forward a copy to the appropriate Judge or Chamber, Parties, and others as appropriate.

Article 28 **Identification and Review of Filings**

1. CMSS shall review in summary fashion all documents. The review shall not include an examination of the content of the document to determine whether it contains confidential and/or *ex parte* information. The obligation to identify case-related documents as public, confidential, or *ex parte* rests exclusively with the submitting Party or Chambers.
2. The Parties and Chambers shall be responsible for identifying and submitting to CMSS as confidential any document that contains information that: (i) is confidential or *ex parte*; or (ii) could be reasonably identified as information to which public access should be restricted for purposes of protecting witnesses, limiting disclosure, or which otherwise impedes the effective

administration of justice. Filings that contain confidential information shall be identified by indicating “CONFIDENTIAL” in capital letters on the cover page of the document above the title. Ex-parte filings shall be identified by (i) indicating “EX PARTE” in capital letters on the cover page of the document above the title, and (ii) followed immediately by a listing of those Parties to whom the filing may be distributed.

3. The Parties and Chambers retain the option of submitting two versions, a confidential and a redacted public version, of any document in paper or electronic format to the Registrar for filing. The confidential filing shall be identified by indicating “CONFIDENTIAL” in capital letters on the cover page of the document above the title. The redacted public filing shall be identified by indicating “REDACTED PUBLIC FILING” in capital letters on the cover page of the document above the title.
4. Any document that is not specified as “CONFIDENTIAL” or “EX PARTE” shall be treated as a public document. Nonetheless, to minimize the risk of error, if the document is neither confidential nor ex parte, the submitting party should indicate “PUBLIC FILING” in capital letters on the cover page of the document above the title.
5. Unless otherwise provided by order of a Chamber or a Judge, Parties shall not file with CMSS as public any document, whether paper or electronic format that contains information that is confidential or ex parte.

PART XII: PUBLIC ACCESS TO JUDICIAL RECORDS OF THE TRIBUNAL

Article 29 Principles of Publicity

CMSS shall provide access to all public documents related to court proceedings. This access shall be free of any charges, subject to the provisions of Articles 18 and 30 of this Directive.

Article 30 Public Access to the Judicial Records of the Tribunal

1. CMSS shall ensure reasonable access during normal business hours and, in cooperation with the Tribunal’s Information Technology Service (ITSS) and its Communications Service, remote access via the internet at any time through the Tribunal website to the following:
 - a. Public orders, decisions, and judgements of the Judges and Chambers as they are issued, unless otherwise ordered;
 - b. Prosecution requests for deferral as provided for in Rule 9 of the Rules when the Trial Chamber has been notified and CMSS has ensured their transmission to officials of the affected State(s);
 - c. Notices of appeal, following their transmission by CMSS to the Appeals Chamber and the parties; and
 - d. Transcripts of public hearings.

2. Subject to Rules 53, 75, 79 and 81 of the Rules, CMSS shall ensure reasonable in-person access during normal business hours and, in cooperation with the Tribunal's Information Technology Service (ITSS) and its Communications Service, remote access via the internet through the Tribunal website to the following:
 - a. Confirmed indictments;
 - b. Confirmations of indictments when signed by a Judge;
 - c. Executed warrants of arrest;
 - d. Documents concerning the arrest and transfer of an accused;
 - e. Preliminary motions and requests by the parties (including texts and attachments);
 - f. Evidence disclosed during proceedings and declared admissible by the Trial Chamber in open court;
 - g. Transcripts of public proceedings; and
 - h. Amicus curiae briefs, as soon as they have been submitted to the parties and to a Judge or a Chamber, unless the Judge or Chamber has decided otherwise in the ruling authorising the submission of the brief and has notified CMSS in writing of that decision.
3. The following are strictly confidential and shall not be disclosed unless otherwise ordered in writing by a Judge or Chamber:
 - a. Materials or documents relating to the hearings held in accordance with Rule 75(B) of the Rules;
 - b. Materials or documents subject to an order for non-disclosure in accordance with Rule 53 of the Rules;
 - c. Supporting materials to the indictment in accordance with Rule 47 of the Rules, which shall not be made public at the time the indictment is publicly disclosed nor at the time the materials are made available to the accused; and
 - d. All written witness statements used in conjunction with hearings pursuant to Rule 61 of the Rules, even if such documents are relied upon by the Trial Chamber in making its decision.
4. Notwithstanding the provisions of Article 28, para. 1, where CMSS staff question whether a particular document submitted as public should be publicly disclosed, they may delay public access to the document and, within 48 hours of its filing with the Registry, shall bring the matter to the attention of the appropriate Judge or Chamber for a decision pursuant to Rule 53 (A) of the Rules.

PART XIII: SCHEDULING JUDICIAL ACTIVITIES

Article 31 Calendar

1. CMSS is responsible for (i) maintaining a current calendar of all scheduled hearings of the Tribunal – including pre-trial and *65ter* conferences – to be used in scheduling other hearings; and (ii) providing notice of that schedule to the Parties.

2. A copy of the calendar of the scheduled hearings shall be posted on the Tribunal and circulated to relevant parties and staff members. This calendar should provide the case name and number, the Judge or the Chamber, the date and time of the proceeding, and whether it is a public or closed proceeding.

Article 32 Scheduling

1. CMSS, in consultation with the Judge or Chamber, shall schedule the date and time of hearings before the Tribunal for each case.
2. Upon formal notification of the parties, dates for court proceedings set on the calendar become mandatory.
3. CMSS shall inform the Registrar, President, and the respective Presiding Judges of scheduled hearings as provided in Article 31 of this Directive.

Article 33 [reserved]

Article 34 [reserved]

Article 35 [reserved]

Article 36 Failure to Comply with an Order

The Registrar shall bring to the attention of the assigned Judges any inability to comply with their order as soon as he becomes aware of such inability.

PART XIV: HEARINGS

Article 37 Management of Hearings

CMSS is responsible for making all necessary arrangements for hearings and conferences, either public or in camera, and for providing the judicial support services required during the hearings and conferences.

Article 38 Court Officer

1. A Court Officer shall be present in every Court proceeding to provide support and assistance on behalf of the Registry. The Court Officer represents the Registrar and is assisted by a Courtroom Clerk.

2. The Court Officer is responsible for performing the functions entrusted to the Registry with respect to court management and judicial support during Court proceedings, including the drafting of minutes of court proceedings when required under Rule 35. The Court Officer also is responsible for implementation of Rule 71, 71*bis*, and 92*bis* (b) of the Rules in accordance with the “Practice Direction on Procedure for the Implementation of Rule 92*bis* (B) of the Rules.”

Article 39 Exhibits

In managing exhibits, the Court Officer shall ensure that:

1. The Parties shall submit exhibits in accordance with the “Provisional Practice Direction on the Application of an Electronic Court Management System, IT/239 Rev. 1;”
2. Items submitted for evidence are entered as exhibits only after they have been admitted by the Trial Chamber;
3. All exhibits received in each day’s proceedings are properly secured in the judicial records and in the custody of CMSS; and
4. The list of all exhibits admitted during the proceedings is up to date and that the official public and confidential versions of the exhibit list are filed in the case file.

Article 40 Witness Lists

The Court Officer shall maintain and keep up to date confidential and public lists of all witnesses called by the Chamber and the Parties. The final official lists shall be filed in the case file pursuant to Article 7.

Article 41 Minutes of Proceedings

Where required by a Judge or a Chamber, the Court Officer shall prepare minutes of the proceeding for the Presiding Judge to review and approve pursuant to Rule 35 of the Rules.

PART XV : HEARINGS CONDUCTED IN OTHER VENUES OR ELECTRONICALLY

Article 42 Hearings Outside The Hague

Whenever the Tribunal is to sit at a venue other than its seat, CMSS shall make the necessary logistical and other arrangements.

Article 43
Deposition and Testimony by Video-conference Link

Whenever a Trial Chamber orders that a witness be heard by means of deposition or a video conference pursuant to Rules 71, Rule 71*bis*, or any other provision of the Rules, CMSS shall make the necessary arrangements. The Registrar shall appoint a Court Officer to represent the Registry at the hearing.