

UNITED NATIONS  NATIONS UNIES

International Criminal Tribunal for Rwanda

TRIAL CHAMBER 2

OR: ENG

Before: Judge William H. Sekule, Presiding Judge

Judge Yakov Ostrovsky

Judge Tafazzal H. Khan

Registry: Mr. Antoine Mindua

Order of: 8 May 1997

**THE PROSECUTOR
VERSUS
CLEMENT KAYISHEMA
OBED RUZINDANA**

Case No. ICTR-95-1-T

**ORDER ON THE ORAL REQUEST BY THE PROSECUTION TO
WITHDRAW ITS MOTION FOR THE PROVISION OF DAILY
TRANSCRIPTS OF PROCEEDINGS**


The Office of the Prosecutor:

Mr. Jonah Rahetlah
Ms. Elizabeth Ann Farr
Ms. Brenda Sue Thornton

The Counsel for the Accused:

Mr. Pascal Besnier (for Obed Ruzindana)
Mr. Phillip Morriceau (for Clement Kayishema)

**ICTR
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THE TRIBUNAL,

SITTING AS Trial Chamber 2 of the International Criminal Tribunal for Rwanda (“the Tribunal”), composed of Judge William H. Sekule as Presiding Judge, Judge Yakov Ostrovsky and Judge Tafazzal H. Khan;

CONSIDERING the motion brought by the Prosecution on 28 April 1997 requesting the Tribunal to Order the Registry to provide daily transcripts of the proceedings to the Prosecution, the Defence and the Chambers in both English and French, and when necessary in Kinyarwanda;

CONSIDERING that the Tribunal is currently recording the Prosecution evidence as presented;

CONSIDERING the Prosecution’s written contention that the daily transcripts are essential for the parties in order to verify the accuracy or otherwise of the records of the proceedings enabling it to correct the errors;

CONSIDERING also the Prosecution’s written contention that at the International Criminal Tribunal for the Former Yugoslavia (“the Yugoslavia Tribunal”), the daily transcripts of each day’s proceedings are generally made available to the Prosecution, the Defence, the Trial Chambers of the Yugoslavia Tribunal and the public on the following day of the hearing;

CONSIDERING the Prosecution’s written submission that it has not received transcripts from the proceedings in the instant case since the beginning of Trial on 9 April 1997;

CONSIDERING the views presented on the motion by both parties during the hearing on 7 May 1997;

CONSIDERING the fact that the Defence had no objection to the motion filed by the Prosecution;





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MINDFUL of the oral request by the Prosecution to withdraw the motion for the time being in view of the Registry's assurance that it will take appropriate measures in this regard;

THEREFORE, THE PROSECUTION'S MOTION STANDS WITHDRAWN FOR THE TIME BEING, WITH LIBERTY TO FILE ANOTHER MOTION FOR APPROPRIATE RELIEF, IF IT HAS REASON TO BELIEVE THAT THE NEEDFUL HAS NOT BEEN DONE.

Arusha, 8 May 1997

William H. Sekule
Presiding Judge

Yakov Ostrovsky
Judge



T. H. Khan
Judge



Seal of the Tribunal

