

ICTR-98-42-T  
19 July 2001  
(3401-3400)

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orig.



International Criminal Tribunal for Rwanda  
Tribunal Pénal International pour le Rwanda

OR: ENG

TRIAL CHAMBER II

**Before:** Judge William H. Sekule, Presiding  
Judge Winston C. Matanzima Maqutu  
Judge Arlette Ramaroson

**Registrar:** Adama Dieng

**Date:** 19 July 2001

The PROSECUTOR

v.

Pauline NYIRAMASUHUKO & Arsène Shalom NTAHOBALI  
(Case No. ICTR-97-21-T),

Sylvain NSABIMANA & Alphonse NTEZIRYAYO  
(Case No. ICTR-97-29-T),

Joseph KANYABASHI  
(Case No. ICTR-96-15-T)

and Élie NDAYAMBAJE  
(Case No. ICTR-96-8-T)

JUDICIAL RECORDS ARCHIVES  
ICTR  
2001 JUL 19 A 10:24  
[Signature]

ORDER IN THE MATTER OF THE PROSECUTOR'S EX PARTE  
FURTHER ALLEGATIONS OF CONTEMPT

**The Office of the Prosecutor:**

Silvana Arbia  
Japhet Mono  
Jonathan Moses  
Adesola Adebeyejo  
Gregory Townsend  
Manuel Bouwknecht

**Counsel for Nyiramasuhuko:**

Nicole Bergevin  
Guy Poupart

**Duty Counsel for Ntahobali:**

Jesse Kiritta

**Counsel for Nsabimana**

Josette Kadji  
Charles Patie Tchacounte

**Counsel for Nteziryayo**

Titinga Frédéric Pacere  
Richard Perras

**Counsel for Kanyabashi:**

Michel Marchand  
Michel Boyer

**Counsel for Ndayambaje:**

Pierre Boulé  
Isabelle Lavoie

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME  
COPIE CERTIFIÉE CONFORME À L'ORIGINAL PAR NOUS

NAME / NOM: *Dr. MINAMBA K. M. Antoine*

SIGNATURE: *[Signature]* DATE: *19.07.2001*

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*The Prosecutor v. Pauline Nyiramasuhuko & Arsène Shalom Ntahobali (Case No. ICTR-97-21-T), Sylvain Nsabimana & Alphonse Nteziryayo (Case No. ICTR-97-29-T), Joseph Kanyabashi (Case No. ICTR-96-15-T) and Élie Ndayambaje (Case No. ICTR-96-8-T)*

**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA** (“the Tribunal”),

**SITTING** as Trial Chamber II, composed of Judges William H. Sekule, Presiding, Winston C. Matanzima Maqutu and Arlette Ramaroson (the “Chamber”);

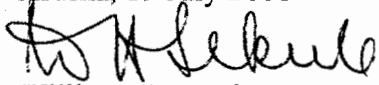
**BEING SEIZED**, pursuant to Rule 73 of the Rules, of the “Confidential and Under Seal Prosecutor’s Extremely Urgent *Ex Parte* Motion to Initiate Proceedings of Contempt of the Tribunal (...)” filed on 12 July 2001 (the “Motion”), attached to which seven witness statements obtained on 11 July by the Prosecutor from her Office in Kigali, constitute, according to her, *prima facie* proof of most of the allegations of contempt raised in their original “Extremely Urgent Motion for an Investigation of Contempt of the Tribunal” dismissed by the Chamber on 10 July 2001 *inter alia* for lack of *prima facie* evidence;

**CONSIDERING** the gravity of the allegations made;

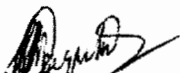
**THE TRIAL CHAMBER,**

- I. **RECALLS** the Language & Conference Services Section of the Tribunal (the “LCSS”) that the Confidential and Under Seal Prosecutor’s Motion, including the Annexes thereof, is to be translated and transmitted to the Trial Chamber “as soon as possible and in any case by Thursday 19 July 2001” (Court Management Section Interoffice Memorandum ICTR/JUD-11-6-2-181 of 17 July 2001 addressed to Alassane Diatta, Chief of the LCSS);
- II. **ORDERS** the Prosecutor to serve the Defense with the Motion with Annexure, in English and French, as soon as possible and in any case before Thursday, 26 July 2001;
- III. **ORDERS** the Prosecutor, should some of the concerned witnesses need protection, to make all such applications to the Trial Chamber without delay;
- IV. **AUTHORISES** the Prosecutor, in the meantime, to use pseudonyms for such witnesses, and/or redact their statements;
- V. **DIRECTS** the Defense and all concerned parties to file any preliminary submissions in respect of the Prosecutor’s Motion by Friday 10 August 2001 at the latest, and the Prosecutor to file any further submissions by Friday 17 August 2001 at the latest;

Arusha, 19 July 2001



William H. Sekule  
Presiding Judge



Winston C. Matanzima Maqutu  
Judge



Arlette Ramaroson  
Judge

(Seal of the Tribunal)

