



ICTR-98-42-T  
27-11-2001  
(1228 - 1226)

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International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

Original: English

**TRIAL CHAMBER II**

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

**Registrar:** Adama Dieng

**Decision of:** 27 November 2001

**The Prosecutor**

v.

**Pauline NYIRAMASUHUKO et al.**

JUDICIAL RECORDS/ARCHIVES  
RECEIVED  
2001 NOV 27 A 11: 03  
M. B. D.

*Case No. ICTR-97-21-T*

**DECISION ON NYIRAMASUHUKO'S MOTION TO INSPECT CERTAIN  
EXHIBITS UNDER SEAL ON THE PROSECUTOR'S EXHIBIT LIST**

**The Office of the Prosecutor:**

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

**Counsel for Nyiramasuhuko:**

Nicole Bergevin  
Guy Poupart

AT

**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** of a "Requête aux fins d'inspecter certains exhibits sous scellés inclus dans la liste de pièces à conviction du Bureau du Procureur," filed on 26 November 2001 by Counsel for Pauline Nyiramasuhuko, which requests the Chamber to authorize the inspection of sealed Exhibit 231 to 236 of the Prosecution's Exhibits;

**CONSIDERING** the "Memorandum," of 22 November 2001 wherein both the Prosecutor and the Defense agreed on, "[t]he opening of the sealed exhibits from the Prosecutor's Exhibit List following the permission of the Trial Chamber to allow Pauline Nyiramasuhuko's Defense team to inspect the said documents [which is] to be done in the presence of a representative of each party and a person from the Evidence Unit [and] as soon as the inspection is finished, the exhibits would be sealed in the presence of all parties";

**CONSIDERING** the "Decision on the Defense Motion for Exclusion of Evidence and Restitution of Property Seized," of 12 October 2000 whereby the Chamber ordered "[t]he Prosecution and the Defense to decide upon a date, within a month from the date of the present Decision, to examine and inventory all property seized, return to the Accused any part of the said property that both Parties agree is not necessary for the purpose of prosecution, then seal the remaining property seized, and to prepare a record to be signed by the Parties pertaining to all these operations" (the "Order of 12 October 2000");

**HAVING DELIBERATED**

1. The Chamber notes that the Defense requests the inspection of Exhibits 231 to 236 particularly, KA00-0259-KA00-0259, KA00-0262-KA00-0262, KA00-1263-KA00-0263, KA00-0265-KA00-0265, KA00-0266-KA00-0266, KA00-0267-KA00-0267, which are under seal, pursuant to the Chamber's Order of 12 October 2000. The Chamber also notes that the Prosecutor agrees to the Defense request to inspect the said items following the procedure laid out under the Memorandum of 22 October 2001.

2. The Chamber holds that the said items be unsealed to allow their inspection by the Defense and thereafter be sealed under the procedure agreed upon by the Parties in the aforementioned Memorandum. Accordingly, the Chamber grants the said Motion so that the said items are unsealed and inspected by the Defense.

*to me*

**FOR ALL THE ABOVE REASONS THE CHAMBER HEREBY**

**I. GRANTS** the Motion.

**II. ORDERS** the opening of the seals on Exhibits 231 to 236 particularly; KA00-0259-KA00-0259, KA00-0262-KA00-0262, KA00-1263-KA00-0263, KA00-0265-KA00-0265, KA00-0266-KA00-0266, KA00-0267-KA00-0267 in the presence of a representative of each party and a person from the Evidence Unit so that they can be inspected by the Defense and, as soon as such inspection is finished, the said exhibits are to be placed under seal in the presence of all parties.

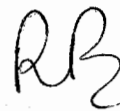
Arusha, 27 November 2001




William H. Sekule  
Presiding Judge



Winston C. Matanzima Maqutu  
Judge



Arlette Ramaroson  
Judge



(Seal of the Tribunal)