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ICTR-98-41-T  
13-5-2002

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(9709-9708)

**International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda**

UNITED NATIONS  
NATIONS UNIES

**TRIAL CHAMBER III Original: English**

**Before:** Judge Lloyd George Williams, Q.C., Presiding  
Judge Pavel Dolenc  
Judge Andrésia Vaz

**Registrar:** Mr. Adama Dieng

**Date:** 13 May 2002

**THE PROSECUTOR  
v.  
THÉONESTE BAGOSORA  
GRATIEN KABILIGI  
ALOYS NTABAKUZE and  
ANATOLE NSENGIYUMVA**

2002 MAY 13 P 19  
10TH  
INTERNATIONAL PROSECUTOR GENERAL'S OFFICE

**Case No. ICTR-98-41-T**

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**DECISION ON DEFENCE EXTREMELY URGENT MOTION FOR TRANSLATION  
OF DOCUMENT**

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The Office of the Prosecutor:

Mr. Chile Eboe-Osuji  
Mr. Drew White  
Ms. Christine Graham  
Mr. Segun Jegede

Defence Counsel:

Mr. Raphaël Constant  
Mr. Jean Yaovi Degli  
Mr. Kennedy Ogetto  
Mr. Gershom Otachi Bw'Omanwa  
Mr. Clemente Monterosso  
Mr. André Tremblay

The International Criminal Tribunal for Rwanda (the "Tribunal"), sitting today as Trial Chamber III composed of Judges Lloyd George Williams, Q.C., Presiding, Pavel Dolenc, and Andréia Vaz (the "Chamber");

**BEING SEISED OF** the Defence Extremely Urgent Motion for Translation of Documents, filed by the Defence for the Accused, Bagosora, Kabiligi and Ntabakuze on 19 March 2002 (French) (hereinafter, the "Motion), in which the Defence requests that the Chamber order the Prosecutor to disclose to the Defence immediately, before the commencement of trial on 2 April 2002, French translations of all documents filed in English with the Registry on 21 January 2002 and on 7 March 2002, in conformity with the Scheduling Order dated 5 December 2001, including, *inter alia*, the Pre-trial Brief, list of intended trial witnesses and the summary of their testimony, and a copy of the statement of Kambanda.

**CONSIDERING** that, to date, the Prosecutor has filed no written response to the Motion.

**CONSIDERING** that the Defence admits having received the English version of some of the documents at issue in the Motion in February 2002, and others on 7 March 2002.

**WHEREAS** pursuant to Article 31 of the Statute and Rule 3 (A) (B) and (E) of the Rules of Procedure and Evidence and Article 12 and 13(6) of the Directives for the Registry, the working languages of the Tribunal are English and French. Consequently, Defence Counsel are entitled to receive materials in the working language they understand, be it English or French, so as to be able to adequately prepare their cases.


**NOW DECIDES** the matter on the basis of the Motion and the submissions of the Prosecutor made during the Status Conference of 3 April 2002.

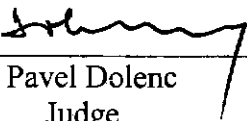
**NOW, THEREFORE, THE TRIBUNAL HEREBY**

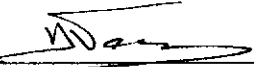
**GRANTS** the Motion; and further

**DIRECTS** the Prosecutor and the Registry to collaborate with the Languages and Conference Services Section of the Tribunal for purposes of facilitating and obtaining French translations of the documents filed by the Prosecutor in discharge of her obligations under the Scheduling Order of 5 December 2002 and disclose same to the Defence as soon as practicable, but in any event, no later than 14 June 2002.

Arusha, 13 May 2002

  
Lloyd G. Williams, Q.C.  
Presiding Judge

  
Pavel Dolenc  
Judge

  
Andréia Vaz  
Judge

[Seal of the Tribunal]