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ICTR-98-41-T

13-5-2002

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**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 Andréia Vaz

Registrar: Mr. Adama Dieng

Date: 13 May 2002

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

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA
2002 MAY 13 P 4: 19
ICTR

Case No. ICTR-98-41-T

**DECISION ON THE BAGOSORA MOTION FOR COOPERATION OF
SENEGALESE AUTHORITIES**

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 Motion by Bagosora for the Cooperation of the Senegalese Authorities, filed on 12 November 2001 (French) (hereinafter the "Motion"). In the Motion the Defence for Bagosora seeks to learn the names of certain Senegalese military officers detailed to UNAMIR who are believed to have been present at a Senegalese Independence Day ceremony on 4 April 1994 held at the Meridien Hotel in Kigali. The Defence believes that it was at this particular venue that a contingent of Senegalese UNAMIR officers were present. The Motion is founded upon Articles 20 (b) and 28 of the Tribunal's Statute.

RECALLING that on 16 November 2001 the Chamber directed the Registry to write to the Senegalese Authorities seeking their intercession to provide the requested information to the Defence.

CONSIDERING that by letters dated 17 January 2002, the Registry did indeed write to the Senegalese Authorities requesting once again that they co-operate with the Tribunal by providing the information sought by the Defence.

CONSIDERING that by letter dated, 6 March 2002, addressed to Raphael Constant, Counsel for the Accused Bagosora, the Secretary General of Presidency of the Republic of Senegal provided the name of one Mr. Babacar Faye, the Senegalese officer who served in Rwanda, and authorisation to contact the Minister of the Armed Forces of Senegal for purposes of getting in contact with Mr. Faye.


WHEREAS the letter of the Secretary General of the Presidency of the Republic of Senegal provides the information sought in the Motion.

NOW DECIDES the matter.

CONSEQUENTLY, THE TRIBUNAL HEREBY

DISMISSES the Motion as moot.

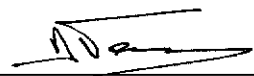
Arusha, 13 May 2002



Lloyd G. Williams, Q.C.,
Presiding Judge



Pavel Dolenc
Judge



Andréia Vaz
Judge

[Seal of the Tribunal]