



UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal Pénal International pour le Rwanda

ICTR-99-52-T  
24-09-2002  
(30258-30243) 30258

TRIAL CHAMBER I

Original: English

Before: Judge Navanethem Pillay, Presiding Judge TC1  
Judge Erik Møse  
Judge Asoka de Zoysa Gunawardana

Registry: Mr. Adama Dieng

Date: 24 September 2002

THE PROSECUTOR  
V.  
FERDINAND NAHIMANA  
Case No. ICTR-99-52-T

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REQUEST FOR COOPERATION BY THE GOVERNMENT OF THE REPUBLIC OF  
RWANDA PURSUANT TO ARTICLE 28 OF THE STATUTE

Counsel for the Accused:

Mr. Jean-Marie Biju-Duval  
Ms. Diana Ellis

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

**SITTING** as Trial Chamber I, composed of Judge Navanethem Pillay, presiding, Judge Erik Møse and Judge Asoka de Zoysa Gunawardana;

**PURSUANT** to Article 28 (Cooperation and Judicial Assistance) of the Statute of the Tribunal, annexed to resolution 955 (1994) of the Security Council of the United Nations;

**CONSIDERING** the Defence motion titled “Breaches of the Accused’s Right To A Fair Trial, pursuant to Articles 19 and 20 of the ICTR Statute,” in which the Defence seeks access to potentially exculpatory material held within Rwanda and the USA;

**WHEREAS** the request for Cooperation by the United States State Department has been dealt with by the Presiding Judge separately;

**CONSIDERING ALSO** the Defence motion titled “*Ex Parte* Application: Request for Information on Prison Witnesses who have Testified Before the Tribunal” dated 23 September 2002;

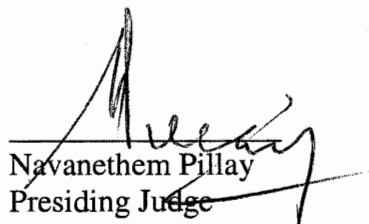
**HEREBY REQUESTS** the Cooperation and Judicial Assistance of the Government of the Republic of Rwanda in obtaining:

1. The material listed in Appendix 1 hereto attached;
2. The information set out in the following documents, both of which are under seal and hereto attached:
  - a) Addendum to the Material Contained in the Annexes Appended to the Defence Motion of 15 September 2002: The Breaches of Articles 19 and 20 of the Statute;
  - b) *Ex Parte* application: Request for Information on Prison Witnesses who have testified before the Tribunal dated 23 September 2002.

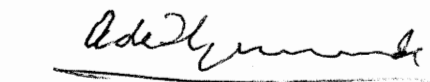


**DIRECTS** the Registrar to transmit this request forthwith to the Government of the Republic of Rwanda and to report back to the Trial Chamber on the implementation of the present request.

Done at Arusha, 24 September 2002.

  
Navanethem Pillay  
Presiding Judge

  
Erik Møse  
Judge

  
Asoka de Z. Gunawardana  
Judge

Seal of the Tribunal



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APPENDIX 1  
Materials Requested

- a) ORINFOR
  - i) Tapes of broadcasts by Radio Rwanda (relevant to evidence given by witnesses for the OTP); also of Radio RTLM and Radio Muhabura for the period 1990-1994.
  - ii) Specified newspapers/journals.
  - iii) Documentation relating to the dismissal of Professor Nahimana.
  - iv) Documentation relating to personnel issues arising while Professor Nahimana was Director of ORINFOR.
  
- b) RPF DOCUMENTATION CENTER
  - i) Cassettes of broadcasts from Radio Rwanda; Radio Muhabura and RTLM.
  - ii) Other Specified documents.

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