



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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: 26 March 2003

**THE PROSECUTOR
V.
FERDINAND NAHIMANA**

Case No. ICTR-99-52-T

**DECISION ON THE DEFENCE EX PARTE APPLICATION TO REQUEST THE
ASSISTANCE OF THE TRIAL CHAMBER IN OBTAINING EVIDENCE**

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;

BEING SEIZED OF a Defence ex parte motion, filed on 19 March 2003, to request the assistance of the Trial Chamber in obtaining evidence from the current head of UNICEF,

Kigali, Rwanda, pursuant to Article 28 (Cooperation and judicial assistance) of the Statute of the Tribunal("the Statute");

CONSIDERING THAT the said UNICEF official has responded to the request of the Defence and that the matter raised relates to a difference over the content of his response rather than an unwillingness to cooperate;

HEREBY,

DENIES the Defence request for the assistance of the Trial Chamber in obtaining evidence.

Arusha, 26 March 2003.

Navanethem Pillay
Presiding Judge

Erik Møse
Judge

Asoka de Z.
Gunawardana
Judge

Seal of the Tribunal