

ICTR-2000-55-I  
27. 1-2004  
(4679-4678)

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UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR:ENG

**TRIAL CHAMBER III**

**Before Judges:** Lloyd G. Williams, Q.C., Presiding  
Andrésia Vaz  
Khalida Rachid Khan

**Registrar:** Adama Dieng

**Date:** 27 January 2004

JUDICIAL RECORD  
2004 JAN 27 P 6:30  
[Signature]

**THE PROSECUTOR**

v.

**Tharcisse MUVUNYI**

*Case No. ICTR-2000-55A-I*

**DECISION ON ACCUSED MOTION TO STAY PROCEEDINGS  
REGARDING ACCUSED MOTION TO EXCLUDE EVIDENCE  
AND FOR THE RETURN OF PROPERTIES SEIZED**

**Office of the Prosecutor:**

Silvana Arbia  
Jonathan Moses  
Adelaide West  
Adesola Adebeyejo  
Manuel Bouwknecht  
Astou M'Bow

**Defence Counsel:**

William E. Taylor, Lead Counsel

[Signature]

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

**SITTING** as Trial Chamber III composed of Judges Lloyd G. Williams, Q.C., presiding, Andréia Vaz and Khalida Rachid Khan (“Chamber”);

**BEING SEIZED** of the Accused submissions entitled “*Réaction de l’Accusé Tharcisse Muvunyi à la réponse du Procureur du 2 décembre 2003 à sa requête en exclusion de preuve et remise de biens saisis*”, filed on 8 December 2003 by the Accused Tharcisse Muvunyi, in which the Accused requests the Chamber to defer ruling on his request to exclude evidence and return of properties, because Lead Counsel has not been assigned yet, and because of the technicality of the issue raised;

**CONSIDERING** the Prosecutor’s Response to Accused Tharcisse Muvunyi’s Motion to Stay Proceedings, filed on 11 December 2003, in which the Prosecutor objects to this incidental request arguing that Duty Counsel is competent to legally assist the Accused in this case, relying on the jurisprudence of this Chamber;

**FURTHER CONSIDERING** the Request filed by the Accused on 25 November 2003, entitled “*Requête de l’Accusé Tharcisse Muvunyi en exclusion de preuve et remise de biens saisis*”, and the Prosecutor’s Response thereto filed on 2 December 2003;


**CONSIDERING** that, in his Decision of 7 January 2004, the Registrar has assigned William E. Taylor as Lead Counsel to the Accused;


**CONSIDERING** that, under these exceptional circumstances, it is necessary to grant adequate time to Lead Counsel recently assigned, to familiarise himself with the case file and to properly advise the Accused and to provide all necessary legal assistance in these proceedings, filed by the Accused himself;


**THE CHAMBER**

**ORDERS** the Defence to file not later than 25 February 2004, any further submissions which it would like to make, regarding the request of the Accused to exclude evidence and for the return of properties seized.

Arusha, 27 January 2004

  
Lloyd G. Williams, Q.C.  
Presiding Judge

  
Andréia Vaz  
Judge

  
Khalida Rachid Khan  
Judge

