

ICTR-99-50-T
05-03-2004
(12463 — 12462)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

12463
ambaga

Or: ENG

TRIAL CHAMBER II

Before: Judge Asoka de Zoysa Gunawardana, Presiding
Judge Khalida Rachid Khan
Judge Lee Gacuiga Muthoga

Registrar: Mr Adama Dieng

Date: 4 March 2004

The PROSECUTOR
v.
Casimir BIZIMUNGU
Justin MUGENZI
Jerôme BICAMUMPAKA
Prosper MUGIRANEZA
Case No. ICTR-99-50-T

2004 MAR -5 PM 1:05
ICTR

DECISION ON PROSPER MUGIRANEZA'S MOTION PURSUANT TO RULES 66(A) AND 68 FOR ACCESS TO ALL STATEMENTS OF JEAN KAMBANDA IN THE POSSESSION OF THE PROSECUTOR

Office of the Prosecutor:

Paul Ng'arua
Ibukunolu Babajide
Elvis Bazawule
George Mugwanya

Counsel for the Defence:

Michelyne C. St. Laurent and Alexandra Marcil for Casimir Bizimungu
Howard Morrison and Ben Gumpert for Justin Mugenzi
Pierre Gaudreau and Michel Croteau for Jérôme Bicomumpaka
Tom Moran and Christian Gauthier for Prosper Mugiraneza

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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (the "Tribunal"),

SITTING as Trial Chamber II, composed of Judge Asoka de Zoysa Gunawardana, Presiding, Judge Khalida Rachid Khan and Judge Lee Gacuiga Muthoga (the "Trial Chamber");

BEING SEIZED of "Prosper Mugiraneza's Motion Pursuant to Rules 66(A) and 68 for Access to All Statements of Jean Kambanda in the Possession of the Prosecutor" filed on 26 January 2004, (the "said Motion");

NOTING the "Addendum to Prosper Mugiraneza's Motion Pursuant to Rules 66(A) and 68 for Access to All Statements of Jean Kambanda in the Possession of the Prosecutor" filed on 3 February 2004, (the "Addendum");

CONSIDERING that the Defence for Prosper Mugiraneza requested, in the said Motion, the disclosure of the diary of Jean Kambanda as well as a manuscript of a book allegedly written by Jean Kambanda;

NOTING the filings of the Prosecutor dated 10 February 2004 and 14 February 2004 disclosing to the Defence the requested documents;

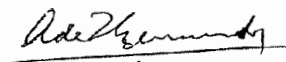
CONSIDERING the letter filed on 1 March 2004 by the Defence for Prosper Mugiraneza acknowledging the reception of the requested documents;

CONSIDERING that the primarily relief sought in the said Motion is to have the Prosecutor disclose the requested documents, the Trial Chamber is of the view that, as the said documents have been disclosed, the said Motion is now rendered moot.

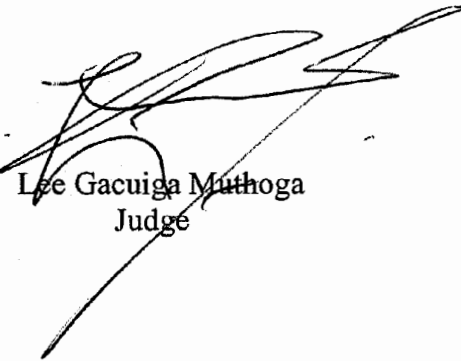
FOR THE ABOVE REASONS, THE TRIBUNAL

DISMISSES the said Motion in its entirety.

Arusha, 4 March 2004


Asoka de Zoysa Gunawardana
Presiding Judge


Khalida Rachid Khan
Judge


Lee Gacuiga Muthoga
Judge

