

ICTR-99-50-T
17/6/2004
(15003 — 15002)

15003 ammlaag

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

Or: ENG

TRIAL CHAMBER II

Before: Judge Khalida Rachid Khan, Presiding
Judge Lee Gacuiga Muthoga
Judge Emile Francis Short

Registrar: Mr. Adama Dieng

Date: 17 June 2004

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

2004 JUN 17 11:56
ICTR
INTERNATIONAL PROSECUTOR

DECISION ON JUSTIN MUGENZI'S MOTION FOR DISCLOSURE

Office of the Prosecutor:

Mr. Paul Ng'arua
Mr. Ibukunolu Babajide
Mr. Elvis Bazawule
Mr. Justus Bwonwonga
Mr. Shyamlal Rajapaksa

Counsel for the Defence:

Ms. Michelyne C. St. Laurent and Ms. Alexandra Marcil for Casimir Bizimungu
Mr. Howard Morrison, Q.C. and Mr. Ben Gumpert for Justin Mugenzi
Mr. Pierre Gaudreau and Mr. Michel Croteau for Jérôme-Clément Bicomumpaka
Mr. Tom Moran for Prosper Mugiraneza

15002

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

SITTING as Trial Chamber II, composed of Judge Khalida Rachid Khan, Presiding, Judge Lee Gacuiga Muthoga and Judge Emile Francis Short, (the "Trial Chamber");

BEING SEIZED of "Justin Mugenzi's Motion for Disclosure" filed on 7 June 2004, (the "Motion");

NOTING the "Prosecutor's Response to Justin Mugenzi's Motion for Disclosure of Transcripts of Testimony of ZF and QI in Military I and Butare Cases Respectively and Disclosure of Transcripts of Radio Muhabura" filed on 15 June 2004, (the "Response");

CONSIDERING that the only relief sought by the Defence is to have the Prosecutor disclose to the Defence transcripts of testimony of Witnesses ZF and QI in the cases of *The Prosecutor v. Théoneste Bagosora et al.* and *The Prosecutor v. Pauline Nyiramasuhuko et al.* as well as the transcripts of Radio Muhabura broadcasts in April 1994;

CONSIDERING that the Prosecutor has confirmed, in his Response, that he has provided all the above-mentioned materials to the Defence on 11 June 2004, the Trial Chamber is of the view that the Motion is now moot and should be dismissed;

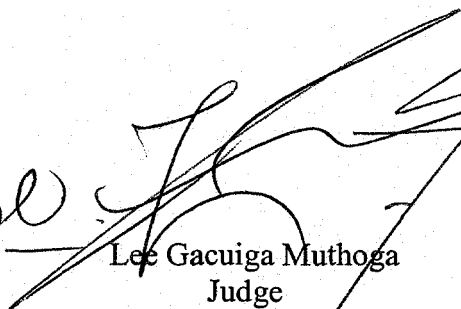
FOR THE ABOVE REASONS, THE TRIAL CHAMBER

DISMISSES the Motion in its entirety

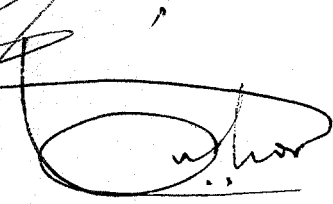
Arusha, 17 June 2004



Khalida Rachid Khan
Presiding Judge



Lee Gacuiga Muthoga
Judge



Emile Francis Short
Judge

