



UNITED NATIONS
NATIONS UNIES

ICTR-98-42-T
22-02-2005
(11303 — 11298)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

11303
mmkg

OR: ENG

TRIAL CHAMBER II

Before: Judge William H. Sekule, Presiding
Judge Arlette Ramaroson
Judge Solomy Balungi Bossa

Registrar: Mr Adama Dieng

Date: 22 February 2005

The PROSECUTOR

v.

Arsène Shalom NTAHOBALI
Case No. ICTR-97-21-T
Joint Case No. ICTR-98-42-T

JUDICIAL RECORDS/ARCHIVES
ICTR
2005 FEB 22 P 5:21

**DECISION ON NTAHOBALI'S MOTION FOR RECONSIDERATION OF THE
"DECISION ON NTAHOBALI'S MOTION FOR SEPARATE TRIAL"**

Office of the Prosecutor

Ms. Silvana Arbia
Ms Adelaide Whest
Ms Holo Makwaia
Ms Adesola Adeboyejo
Mr Cheikh T. Mara
Ms Altea Alexis
Mr Michael Adenuga
Ms Astou Mbow, Case Manager

Defence Counsel

Mr. Duncan Mwanyumba
Mr. Normand Marquis

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

SITTING as Trial Chamber II composed of Judge William H. Sekule, Presiding, Judge Arlette Ramaroson and Judge Solomy Balungi Bossa (the “Chamber”);

BEING SEISED of Ntahobali’s Motion for Reconsideration of the “Decision on Ntahobali’s Motion for Separate Trial”, filed on 8 February 2005 (the “Motion”);¹

CONSIDERING:

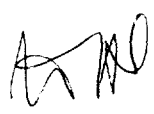
- the Prosecutor’s Response to Arsène Shalom Ntahobali’s Motion for Reconsideration of the Decision of the Trial Chamber on the Request for a Separate Trial, filed on 14 February 2005 (the “Prosecutor’s Response”);
- Kanyabashi’s Response to Ntahobali’s Motion for Reconsideration of the “Decision on Ntahobali’s Motion for Separate Trial”, filed on 14 February 2005 (“Kanyabashi’s Response”);²
- Ntahobali’s Reply to the Prosecution Response to the Motion for Reconsideration of the Decision of the Trial Chamber on the Request for a Separate Trial, filed on 17 February 2005 (“Ntahobali’s Reply to the Prosecution”);³
- Ntahobali’s Reply to Kanyabashi’s Response to the Motion for Reconsideration of the Decision of the Trial Chamber on the Request for a Separate Trial, filed on 17 February 2005 (“Ntahobali’s Reply to Kanyabashi”);⁴

CONSIDERING that Nsabimana’s Response to Ntahobali’s Motion for Reconsideration of the “Decision on Ntahobali’s Motion for Separate Trial” filed on 16 February 2005 (“Nsabimana’s Response”) ⁵ was filed out of time and shall not be considered by the Chamber;

CONSIDERING that Ntahobali’s Reply to Nsabimana’s Response to the Motion for Reconsideration of the Decision of the Trial Chamber on the Request for a Separate Trial, filed on 17 February 2005 (“Ntahobali’s Reply to Nsabimana”) shall also not be considered by the Chamber;

CONSIDERING the Decision on Ntahobali’s Motion for Separate Trial issued by the Chamber on 2 February 2005 (the “Impugned Decision”);

CONSIDERING the Statute of the Tribunal (the “Statute”) and the Rules of Procedure and Evidence (the “Rules”);


¹ The Motion was originally filed in French and entitled: “Requête de Arsène Shalom Ntahobali en reconsideration de la ‘Decision on Ntahobali’s Motion for Separate Trial’”.

² The Response was originally filed in English and entitled: “Réponse de Joseph Kanyabashi à la Requête de Shalom Ntahobali en reconsideration de la Décision relative à la requête demandant un procès séparé”.

³ The Response was originally filed in French and entitled: “Réplique de Shalom Ntahobali à la Réponse du Procureur à la requête en reconsideration de la décision sur la requête en séparation de procès”.

⁴ The Response was originally filed in French and entitled: “Réplique de Shalom Ntahobali à la Réponse de Joseph Kanyabashi à la requête en reconsideration de la décision sur la requête en séparation de procès”.

⁵ The Response was originally filed in French and entitled: “Réponse de Sylvain Nsabimana à la Requête de Arsène Shalom Ntahobali en reconsideration de la Decision on Ntahobali’s Motion for Separate Trial”.

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NOW DECIDES the matter, pursuant to Rule 73 (B), on the basis of the written submissions only.

SUBMISSIONS OF THE PARTIES


Ntahobali's Motion

1. The Defence seeks reconsideration of the Impugned Decision on the ground that the Chamber would have mistakenly considered that the issue of the order of presentation of the Defence cases had already been raised by the Defence and ruled upon on 18 October 2004.
2. The Defence contests having made oral submissions on that issue on 18 October 2004 and submits consequently that the Oral Ruling of 18 October 2004 denying the oral Motion made by Counsel for Pauline Nyiramasuhuko on that issue did not apply to Arsène Shalom Ntahobali.
3. The Defence admits having said, notably:⁶

Furthermore, let me say that the proposed procedure, whereby the number of days prior to submission of witness statements shall be harmonised, is fine with me, Mr President; however, I would like to suggest that if you were to proceed in that manner, then it might be appropriate for the first teams to disclose identity of their witnesses prior to the other teams disclosing the identity of their witnesses. This causes a prejudice for those who would disclose first, as compared to the other teams who would be expected to disclose subsequently.

4. The Defence further submits that the mistake committed by the Chamber is a ground to apply for reconsideration of the Impugned Decision.
5. For the foregoing reasons, the Defence prays the Chamber to reconsider the Impugned Decision and order that Accused Nsabimana and Kanyabashi present their Defence before Ntahobali.

Prosecutor's Response

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6. The Prosecution submits that the Motion does not raise any new issue and is an attempt to relitigate the dismissed Motion for Separate Trial filed on 18 January 2005. Relying on the Chamber's Decision on Prosecutor's Motion for Disclosure of Evidence and Protective Measures of 30 November 2004, the Prosecution submits that the 18 October 2004 Oral Ruling cannot be reopened by the Defence for Ntahobali.
 7. The Prosecution further that the Defence has failed to demonstrate the existence of exceptional circumstances that may justify the reconsideration of the Impugned Decision by the Chamber.

⁶ T. 18 October 2004, p. 15, lines 19-24 (English version).

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8. The Prosecution adds that the Defence submission that the Chamber erred in the Impugned Decision is baseless and unfounded as all parties present at the hearing were given ample opportunity to address the Chamber and present their arguments on the reordering of the Defence case.
9. The Prosecutor prays the Chamber to deny the Motion and finally submits that the Motion is frivolous and therefore deserves the non-payment of Counsel's fees associated with the Motion and costs thereof in accordance with Rule 73(F).

Kanyabashi's Response

10. The Defence for Kanyabashi submits that the Motion is only aimed at having Accused Nsabimana and Kanyabashi present their Defence before Ntahobali.
11. The Defence for Kanyabashi submits that the Impugned Decision considered that Ntahobali had failed to demonstrate that there is a conflict of interests of such a nature as may cause a serious prejudice to his Defence, or that it is otherwise in the interests of justice to order a severance. The alleged conflict of interests was Ntahobali's only ground for requesting either a separate trial or the reordering of the presentation of the Defence. Since the ground failed, both requests have to be denied.
12. The Defence for Kanyabashi further submits that the issue of reordering the defence case was indeed raised on 18 October 2004 and that Counsel for Ntahobali added to the Oral Motion made by Counsel for Nyiramasuhuko.
13. The Defence for Kanyabashi finally reiterates the submissions it made in its Response to Ntahobali's Motion for Separate Trial and prays the Chamber to deny the Motion.

Ntahobali's Reply to the Prosecution

14. The Defence for Ntahobali submits that the only ground for reconsideration is that the Chamber committed a fundamental error of fact in the Impugned Decision. The Defence submits that this error constitutes an exceptional circumstance which justifies that the Chamber reconsiders its Decision.
15. The Defence challenges the Prosecution's right to make submissions on the issue of conflict of interests, since it did not develop this matter during the previous discussions. The Defence therefore submits that the Prosecution Response is frivolous and that the salaries of the Prosecutor's representatives, either Sylvana Arbia or Michael Adenuga, should be reduced accordingly.

Ntahobali's Reply to Kanyabashi

16. The Defence for Ntahobali submits that the fact that its main request for separate trial was rejected by the Impugned Decision does not mean that its alternative request for modification of the order of presentation of the Defence should also be denied on the same ground.

DELIBERATIONS

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17. The Chamber recalls the finding of the Decision on Prosecutor's Motion for Reconsideration of the Trial Chamber's Decision on Prosecutor's Motion for Leave to Vary the Witness List Pursuant to Rule 73bis(E) rendered on 15 June 2004 by Trial Chamber I:⁷

The fact that the Rules are silent as to reconsideration, however, is not, in itself, determinative of the issue whether or not reconsideration is available in "particular circumstances" and a judicial body has inherent jurisdiction to reconsider its decision in "particular circumstances". Therefore, although the Rules do not explicitly provide for it, the Chamber has an inherent power to reconsider its own decisions. However, it is clear that reconsideration is an exceptional measure that is available only in particular circumstances.

18. The Chamber notes that the Defence's ground to apply for reconsideration of the Impugned Decision is that the Chamber mistakenly considered that Counsel for Ntahobali had addressed the issue of reordering the Defence case during the Status Conference held on 18 October 2004.
19. In the view of the Chamber, it appears from the transcripts of the 18 October 2004 Status Conference that Counsel for Arsène Shalom Ntahobali took the floor immediately after Counsel for Pauline Nyiramasuhuko moved the Chamber to reorder the presentation of the Defence case.⁸ The Chamber considers that, in his oral submissions, Counsel for Ntahobali addressed the issue of order of disclosure of the identity of the Defence witnesses. It is therefore the view of the Chamber that Counsel for Arsène Shalom Ntahobali supplemented to Counsel for Pauline Nyiramasuhuko's Motion and that the Oral Ruling that was rendered immediately after the submissions by Counsel for Ntahobali considered the submissions made by both Parties.⁹
20. The Chamber also notes that the Impugned Decision addresses the whole merits of the Motion for Separate Trial as regards the main request for severance. The findings of the Chamber on this issue also apply to the subsidiary request for reordering of the Defence case.
21. Therefore, it is the view of the Chamber that the Defence has failed to demonstrate the existence of "particular circumstances" that may lead to a reconsideration of the Impugned Decision.
22. For the foregoing reasons, the Chamber denies the Motion.
23. Moreover, the Chamber considers that the Motion relies on a frivolous ground. As it did in previous occasions,¹⁰ the Chamber therefore warns the Defence for Ntahobali

⁷ *Prosecutor v. Bagosora et al.*, ICTR-98-41-T, Decision on Prosecutor's Motion for Reconsideration of the Trial Chamber's "Decision on Prosecutor's Motion for Leave to Vary the Witness List Pursuant to Rule 73bis(E)" (TC), 15 June 2004, para. 7.

⁸ T. 18 October 2004, p. 14 (ICS) (English version).

⁹ T. 18 October 2004, p. 16 (ICS), lines 16-20; See also T. 18 October 2004, p. 20 (English version)

¹⁰ *Prosecutor v. Ntahobali*, ICTR-98-42-T, Decision on Ntahobali's Motion to Direct the Prosecutor to Investigate the Matter of False Testimony by Witness 'QCB' Pursuant to Rule 91(B) of the Rules (TC), 26 June



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against filing frivolous motions and recalls that such motions may attract in the future the sanctions stipulated under Rule 73(F) of the Rules, such as the non-payment, in whole or in part, of fees associated with the motion and/or costs thereof.

FOR THE ABOVE REASONS,

THE TRIAL CHAMBER

DENIES the Motion in its entirety.

Arusha, 22 February 2005



William H. Sekule
Presiding Judge



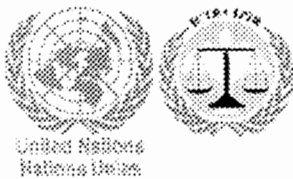
Arlette Ramaroson
Judge



Solomy Balungi Bossa
Judge

[Seal of the Tribunal]





TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

COURT MANAGEMENT SECTION
(Art. 27 of the Directive for the Registry)

I - GENERAL INFORMATION (To be completed by the Chambers / Filing Party)

To:	<input type="checkbox"/> Trial Chamber I N. M. Diallo	<input checked="" type="checkbox"/> Trial Chamber II R. N. Kouambo	<input type="checkbox"/> Trial Chamber III C. K. Hometowu	<input type="checkbox"/> Appeals Chamber / Arusha F. A. Talon
	<input type="checkbox"/> Chief, CMS J.-P. Fomété	<input type="checkbox"/> Deputy Chief, CMS M. Diop	<input type="checkbox"/> Chief, JPU, CMS K. K. A. Afande	<input type="checkbox"/> Appeals Chamber / The Hague R. Burriss
From:	<input checked="" type="checkbox"/> Chamber Cyril LAUCCI <small>(names)</small>	<input type="checkbox"/> Defence <small>(names)</small>	<input type="checkbox"/> Prosecutor's Office <small>(names)</small>	<input type="checkbox"/> Other: <small>(names)</small>
Case Name:	The Prosecutor vs. Arsène Shalom Ntahobali		Case Number: ICTR-97-21-T	
Dates:	Transmitted: 22 February 2005		Document's date: 2 February 2005	
No. of Pages:	6	Original Language:	<input checked="" type="checkbox"/> English	<input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda
Title of Document:	Decision on Ntahobali's Motion for Reconsideration of the "Decision on Ntahobali's Motion for separate Trial"			
Classification Level:		TRIM Document Type:		
<input type="checkbox"/> Strictly Confidential / Under Seal		<input type="checkbox"/> Indictment	<input type="checkbox"/> Warrant	<input type="checkbox"/> Correspondence
<input type="checkbox"/> Confidential		<input checked="" type="checkbox"/> Decision	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Public		<input type="checkbox"/> Disclosure	<input type="checkbox"/> Order	<input type="checkbox"/> Appeal Book
		<input type="checkbox"/> Judgement	<input type="checkbox"/> Motion	<input type="checkbox"/> Book of Authorities
			<input type="checkbox"/> Submission from non-parties	<input type="checkbox"/> Submission from parties
			<input type="checkbox"/> Accused particulars	

II - TRANSLATION STATUS ON THE FILING DATE (To be completed by the Chambers / Filing Party)

CMS SHALL take necessary action regarding translation.

Filing Party hereby submits only the original, and **will not submit** any translated version.

Reference material is provided in annex to facilitate translation.

Target Language(s):

English French Kinyarwanda

CMS SHALL NOT take any action regarding translation.

Filing Party hereby submits **BOTH the original and the translated version** for filing, as follows:

Original	in	<input type="checkbox"/> English	<input type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda
Translation	in	<input type="checkbox"/> English	<input type="checkbox"/> French	<input checked="" type="checkbox"/> Kinyarwanda

CMS SHALL NOT take any action regarding translation.

Filing Party **will be submitting the translated version(s)** in due course in the following language(s):

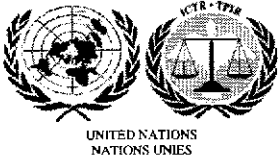
English French Kinyarwanda

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III - TRANSLATION PRIORITISATION (For Official use ONLY)

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<input type="checkbox"/> Normal		<input type="checkbox"/> Other deadlines:



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**PROOF OF SERVICE - ARUSHA
PREUVE DE NOTIFICATION - ARUSHA**

Date: 22/02/05	Case Name / Affaire: The Prosecutor vs.	- Elie NDAYAMBAJE - Joseph KANYABASHI - Pauline NYIRAMASUHUKO - Arsene Shalom NTAHOBALI - Sylvain NSABIMANA - Alphonse NTEZIRYAYO
	Case No /Affaire No.: ICTR-98-42-T	

To:	<input type="checkbox"/> TC1	received by / reçu par:	ALO:	received by / reçu par
A:	<input type="checkbox"/> Judge E. Mose, President	<i>George 23/2/05</i>	<input type="checkbox"/>
	<input type="checkbox"/> Judge J. R. Reddy	<input type="checkbox"/>
	<input type="checkbox"/> Judge S. A. Egorov	<input type="checkbox"/>
	<input type="checkbox"/> Judge D. C. M. Byron (Simba.)	<input type="checkbox"/>
	<input checked="" type="checkbox"/> TC2	<i>23/2</i>	<input checked="" type="checkbox"/>	<i>1/20 23/2</i>
	<input checked="" type="checkbox"/> Judge W. H. Sekule	<i>23/2/05 (2)</i>	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/> Judge A. Ramarosan	<input checked="" type="checkbox"/>
	<input type="checkbox"/> Judge K. R. Khan (Bizimungu et al.)	<input type="checkbox"/>
	<input type="checkbox"/> Judge A. J. N. de Silva	<input type="checkbox"/>
	<input checked="" type="checkbox"/> Judge S. B. Bossa (Nyiramasuhuko et al.)	<i>23/2</i>	<input checked="" type="checkbox"/>	<i>23/2</i>
	<input type="checkbox"/> Judge L. G. Muthoga (Bizimungu et al.)	<input type="checkbox"/>
	<input type="checkbox"/> Judge E. F. Short (Bizimungu et al.)	<input type="checkbox"/>
	<input type="checkbox"/> Judge T. Hikmet (Ndindiliyimana et al.)	<input type="checkbox"/>
	<input type="checkbox"/> Judge S. K. Park (Ndindiliyimana et al.)	<input type="checkbox"/>
	<input type="checkbox"/> C. Eboe-Osuji, SLO	<input type="checkbox"/>
	<input checked="" type="checkbox"/> A. Leroy, Co-ordinator	<i>23/02/05</i>	<input type="checkbox"/>
	<input checked="" type="checkbox"/> A. Marong (judgement coordinator)	<input type="checkbox"/>
	<input type="checkbox"/> TC3	<input type="checkbox"/>
	<input type="checkbox"/> Judge A. Vaz	<input type="checkbox"/>
	<input type="checkbox"/> Judge K. R. Khan	<input type="checkbox"/>
	<input type="checkbox"/> Judge D. C. M. Byron	<input type="checkbox"/>
	<input type="checkbox"/> Judge F. Lattanzi (Karemera et al.)	<input type="checkbox"/>
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	<input type="checkbox"/> C. Denis (Karemera et al.)	<input type="checkbox"/>
	<input type="checkbox"/> H. Gogo (Seromba)	<input type="checkbox"/>
	<input checked="" type="checkbox"/> OTP / BUREAU DU PROCUREUR			
	<input checked="" type="checkbox"/> Trial Attorney in charge of case: <i>S. Arbia</i>	<i>received by 23/02/05</i>		
	<input checked="" type="checkbox"/> DEFENSE			
	<input checked="" type="checkbox"/> Accused / Accusé: <i>E. Ndayambaje, J. Kanyabashi, P. Nyiramasuhuko, A. S. Ntahobali, S. Nsabimana & A. Nteziryayo</i>	<i>complete / remplir "CMS4 FORM" 23/02/05</i>		
	<input checked="" type="checkbox"/> Lead Counsel / Conseil Principal: <i>P. Boulé, M. Marchand, N. Bergevin, B. Mwanyumba, J. Kadji & F. Pacere</i>	<i>(signature)</i>	<input type="checkbox"/>	<i>by fax complete / remplir "CMS3bis FORM"</i>
	<input type="checkbox"/> In / à Arusha Arusha	<input type="checkbox"/>	<i>by fax complete / remplir "CMS3bis FORM"</i>
	<input checked="" type="checkbox"/> Co-Counsel / Conseil Adjoint: <i>C. Desrochers, S. Santerre, G. Poupart, N. Marguis, C. Tchakoute & R. Perras</i>	<i>(signature)</i>	<input type="checkbox"/>	<i>by fax complete / remplir "CMS3bis FORM"</i>
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	All Decisions: <input type="checkbox"/> Appeals Chamber Unit, The Hague <input type="checkbox"/> S. Chenault, Jurist Linguist			
	All Decisions & Important Public Documents: <input type="checkbox"/> Press & Public Affairs <input type="checkbox"/> Legal Library			
From:	<input type="checkbox"/> J.-P. Fomété (Chief, CMS) <input type="checkbox"/> N. Diallo (TC1) <input checked="" type="checkbox"/> <i>Kouambo (TC2)</i> <input type="checkbox"/> C. Hometowu (TC3) <input type="checkbox"/> F. A. Talon (Appeals)			
De:	<input type="checkbox"/> A. Dieng <i>etc</i> <input type="checkbox"/> A. Miller, OLA, NY <input type="checkbox"/> L. G. Mumo <input type="checkbox"/> S. Menon <input checked="" type="checkbox"/> <i>M. Marong 23/2/05</i> <input type="checkbox"/> S. van Driessche			
Cc:	<input type="checkbox"/> WVSS <input type="checkbox"/> R. Amoussoga <input type="checkbox"/> E. O'Donnell <input type="checkbox"/> DCDMS <input type="checkbox"/> P. Enow			
Subject:	Kindly find attached the following document(s) / Veuillez trouver en annexe le(s) document(s) suivant(s):			
Objet:				


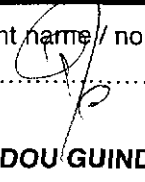
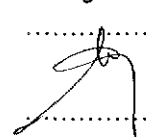


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**PROOF OF SERVICE TO DETAINEES
PREUVE DE NOTIFICATION D'ACTES AUX DETENUS**

Upon signature of the detainee, please return this sheet to the originator as proof of service.
Formulaire à être renvoyé à l'expéditeur dûment signé par le détenu.

Date: 22/02/2005		Case Name / Affaire: The Prosecutor v. - ELIE NDAYAMBAJE - JOSEPH KANYABASHI - PAULINE NYIRAMASUHUKO - ARSENE SHALOM NTAHOBALI - SYLVAIN NSABIMANA - ALPHONSE NTEZIRYAYO		
		Case No / Affaire Nr.: ICTR-98-42-T		
To: A:	Name of detainee / nom du détenu KANYABASHI	TO BE FILLED IN BY THE DETAINEE A COMPLETER PAR LE DETENU		
		I confirm reception of the document(s) listed below. <i>Je confirme réception du/des documents mentionné(s) ci-dessous.</i>		
		Signature  Date, Time / Heure 23/2/05 à 19h20		
Via:	Security Officer Commanding Officer, UNDF	Print name / nom  SAIDOU GUINDO	Signature 	Date, Time / Heure 23/2/05
From: De:	<input type="checkbox"/> JP. Fomété (Chief, CMS) <input type="checkbox"/> N. Diallo (TC 1) <input checked="" type="checkbox"/> F. Kouambo (TC2) <input type="checkbox"/> C. Hometowu (TC3) <input type="checkbox"/> F. Talon (Appeals) <input type="checkbox"/> Other / Autre			
Subject Objet:	Kindly find attached the following documents / Veuillez trouver en annexe les documents suivants.			

Documents name / titre du document	Date Filed / Date enregistré	Pages
DECISION ON NTAHOBALI'S MOTION FOR RECONSIDERATION OF THE "DECISION ON NTAHOBALI'S MOTION FOR SEPARATION"	22/02/2005	4



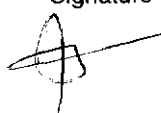

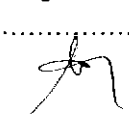


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**PROOF OF SERVICE TO DETAINEES
PREUVE DE NOTIFICATION D'ACTES AUX DETENUS**

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Date: 22/02/2005		Case Name / Affaire: The Prosecutor v. - ELIE NDAYAMBAJE - JOSEPH KANYABASHI - PAULINE NYIRAMASUHUKO - ARSENE SHALOM NTAHOBALI - SYLVAIN NSABIMANA - ALPHONSE NTEZIRYAYO		
		Case No / Affaire Nr.: ICTR-98-42-T		
To: A:	Name of detainee / nom du détenu NDAYAMBAJE	TO BE FILLED IN BY THE DETAINEE A COMPLETER PAR LE DETENU		
		I confirm reception of the document(s) listed below. <i>Je confirme réception du/des documents mentionné(s) ci-dessous.</i>	Signature 	Date, Time / Heure 23/2/05 17h30
Via:	Security Officer Commanding Officer, UNDF	Print name / nom  SAIDOU GUINDO	Signature 	Date, Time / Heure 23/2/05
From: De:	<input type="checkbox"/> JP. Fomété (Chief, CMS) <input type="checkbox"/> N. Diallo (TC 1) <input checked="" type="checkbox"/> R. Kouambo (TC2) <input type="checkbox"/> C. Hometowu (TC3) <input type="checkbox"/> F. Talon (Appeals) <input type="checkbox"/> Other / Autre			
Subject Objet:	Kindly find attached the following documents / Veuillez trouver en annexe les documents suivants.			

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Pages

DECISION ON NTAHOBALI'S MOTION FOR RECONSIDERATION OF THE "DECISION ON NTAHOBALI'S MOTION FOR SEPARATION"

22/02/2005

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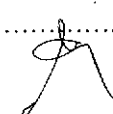


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**PROOF OF SERVICE TO DETAINEES
PREUVE DE NOTIFICATION D'ACTES AUX DETENUS**

Upon signature of the detainee, please return this sheet to the originator as proof of service.
Formulaire à être renvoyé à l'expéditeur dûment signé par le détenu.

Date: 22/02/2005		Case Name / Affaire: The Prosecutor v. - ELIE NDAYAMBAJE - JOSEPH KANYABASHI - PAULINE NYIRAMASUHUKO - ARSENE SHALOM NTAHOBALI - SYLVAIN NSABIMANA - ALPHONSE NTEZIRYAYO	
		Case No / Affaire Nr: ICTR-98-42-T	
To: A:	Name of detainee / nom du détenu NSABIMANA	TO BE FILLED IN BY THE DETAINEE A COMPLETER PAR LE DETENU	
		I confirm reception of the document(s) listed below. <i>Je confirme réception du/des documents mentionné(s) ci-dessous.</i>	Signature 
		Date, Time / Heure	
Via:	Security Officer Commanding Officer, UNDF	Print name / nom  SAIDOU GUIINDO	Signature 
		Date, Time / Heure 23/2/05	
From: De:	<input type="checkbox"/> JP. Fomété (Chief, CMS) <input type="checkbox"/> N. Diallo (TC 1) <input checked="" type="checkbox"/> F. Kouambo (TC2) <input type="checkbox"/> C. Hometowu (TC3) <input type="checkbox"/> F. Talon (Appeals) <input type="checkbox"/> Other / Autre		
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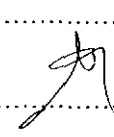


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		Case No / <i>Affaire Nr.</i> ICTR-98-42-T		
To: A:	Name of detainee / nom du détenu NTEZIRYAYO	TO BE FILLED IN BY THE DETAINEE A COMPLETER PAR LE DETENU		
		I confirm reception of the document(s) listed below. <i>Je confirme réception du/des documents mentionné(s) ci-dessous.</i>	Signature 	Date, Time / <i>Heure</i> 23 02 05
Via:	Security Officer Commanding Officer, UNDF	Print name / nom  SAIDOU GUINDO	Signature 	Date, Time / <i>Heure</i> 23/2/05
From: De:	<input type="checkbox"/> JP. Fomété (Chief, CMS) <input type="checkbox"/> N. Diallo (TC 1) <input checked="" type="checkbox"/> H. Kouambo (TC2) <input type="checkbox"/> C. Hometowu (TC3) <input type="checkbox"/> F. Talon (Appeals) <input type="checkbox"/> Other / <i>Autre</i>			
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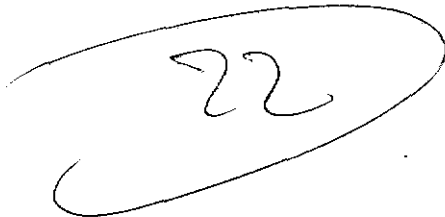
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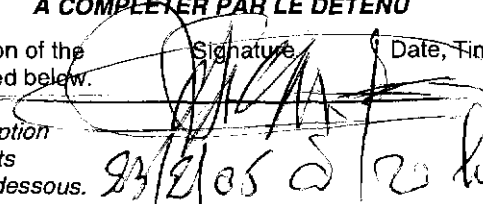

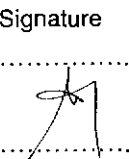


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		Case No / Affaire Nr. ICTR-98-42-T		
To: A:	Name of detainee / nom du détenu NTAHOBALI	TO BE FILLED IN BY THE DETAINEE A COMPLETER PAR LE DETENU		
		I confirm reception of the document(s) listed below. <i>Je confirme réception du/des documents mentionné(s) ci-dessous.</i>		
		Signature:  Date, Time / Heure: 23/2/05 20h00		
Via:	Security Officer Commanding Officer, UNDF	Print name / nom  SAIDOU GUINDO	Signature 	Date, Time / Heure 23/2/05
From: De:	<input type="checkbox"/> JP. Fomété (Chief, CMS) <input type="checkbox"/> N. Diallo (TC 1) <input checked="" type="checkbox"/> R. Kobambo (TC2) <input type="checkbox"/> C. Hometowu (TC3) <input type="checkbox"/> F. Talon (Appeals) <input type="checkbox"/> Other / Autre			
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