

ICTR-2001-73-I
6-5-2005
(2273-2272)

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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 Judge: Dennis C. M. Byron, Presiding

Registrar: Adama Dieng

Date: 6 May 2005

JUDICIAL RECORDS ARCHIVES
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2005 MAY -6 P 12:40

THE PROSECUTOR

v.

Protais ZIGIRANYIRAZO

Case No. ICTR-2001-73-A28

REQUEST FOR THE COOPERATION OF THE GOVERNMENT OF RWANDA

Article 28 of the Statute and Rule 54 of the Rules of Procedure and Evidence

Office of the Prosecutor:
Steven Rapp
Wallace Kapaya
Gina Butler

Defence Counsel
John Philpot
Peter Zaduk

AB

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

SITTING as Trial Chamber III composed of Judge Dennis C. M. Byron, Presiding, pursuant to Article 28 of the Statute of the Tribunal, and Rule 54 of the Rules of Procedure and Evidence;

CONSIDERING that, with regard to the preparation of the trial, the Defence has raised during the Status Conference held on 4 May 2005 that it has failed to access some witnesses and resources persons in the Rwandan prisons since September 2004, and that the Government of Rwanda has not been cooperating to assist it;

HAVING HEARD the Prosecutor's submissions on the issue during the Status Conferences held on 4 and 6 May 2005, and the Defence Reply made orally on 6 May 2005;

BEING SEIZED of the Defence "Urgent Motion to Request the Cooperation of the Government of Rwanda" filed on 5 May 2005, providing the details of the failure to access those witnesses and other persons in Rwandan prisons, and the different attempts to get the assistance of the Government of Rwanda;

CONSIDERING that the cooperation of the Government of Rwanda is necessary in order for the Defence to prepare its case;

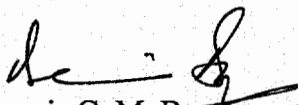
THE CHAMBER, HEREBY

I. REQUESTS the cooperation of the Government of Rwanda in assisting the Defence Team composed of John Philpot, Peter Zaduk, Dick Prudence Munyeshuli and Donatien Tuyisenge, to have access to Rwandan prisons for the purpose of its investigations, noting that any interview shall take place in the presence of one of the Counsel;

II. INVITES the Government of Rwanda to make any submission it may wish in relation to the Defence Motion, not later than 23 May 2005, in order to assist the Chamber to determine whether any further measures required to be taken; **DIRECTS** the Prosecutor to make any further submission in relation to the Defence Motion before 23 May 2005, and **INVITES** the Defence to reply to those submissions not later than 27 May 2005;

III. DIRECTS the Registrar to serve this request for cooperation to the Government of Rwanda, accompanied by the Defence Motion.

Arusha, 6 May 2005, done in English.


Dennis C. M. Byron
Presiding Judge

[Seal of the Tribunal]

