



UNITED NATIONS  
NATIONS UNIES

ICTR-00-56-T  
12-10-2005  
(20590 — 20589)

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

20590  
smbyg

OR: ENG

**TRIAL CHAMBER II**

**Before:** Judge Asoka de Silva, Presiding  
Judge Taghrid Hikmet  
Judge Seon Ki Park

**Registrar:** Mr Adama Dieng

**Date:** 12 October 2005

**The PROSECUTOR**  
v.  
**Augustin BIZIMUNGU**  
**Augustin NDINDILYIMANA**  
**François-Xavier NZUWONEMEYE**  
**Innocent SAGAHUTU**  
*Case No. ICTR-00-56-T*

2005 OCT 12 P 5:12

**DECISION ON DEFENCE REQUEST TO INTERVIEW PROSECUTION WITNESS  
HAF**

**Office of the Prosecutor:**

Mr Ciré Aly Bâ  
Mr Alphonse Van  
Ms Ifeoma Ojemeni Okali  
Mr Segun Jegede  
Mr Moussa Sefon  
Mr Abubacarr Tambadou  
Ms Faria Rekkas  
Ms Anne Pauline Bodley

**Counsel for the Defence:**

Mr Gilles St-Laurent and Mr Ronnie MacDonald for **Augustin Bizimungu**  
Mr Christopher Black and Ms Tiphaine Dickson for **Augustin Ndindiliyimana**  
Mr Charles Taku for **François-Xavier Nzuwonemeye**  
Mr Fabien Segatwa and Mr Seydou Doumbia for **Innocent Sagahutu**

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

**SITTING** as Trial Chamber II, composed of Judge Asoka de Silva, Presiding, Judge Taghrid Hikmet and Judge Seon Ki Park (the “Chamber”);

**BEING SEIZED OF** a “Written Request to Interview Persons with Information Concerning Witness “T”, filed by the Defence Counsel for Joseph Nzirorera on 26 July 2005 in the matter of *Prosecutor v. Karemera et al.*, before Trial Chamber III;

**CONSIDERING** Trial Chamber III’s “Decision on Defence Written Request to Interview Prosecution Witnesses” dated 20 September 2005;

**HEREBY DECIDES** the Motion.

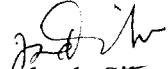
1. By its Decision of 20 September 2005, Trial Chamber III referred to this Trial Chamber a motion by the Defence for Nzirorera in the case of *Karemera et al.* to interview witness HAF who is listed as a Prosecution witness in this case. The Prosecution has indicated that it has no objection to the request by Nzirorera’s Defence provided that the Defence respects all the protective measures put in place by the Chamber in its Decision of 19 March 2004 as subsequently modified.
2. In light of the Prosecution’s response, the Chamber grants the request.

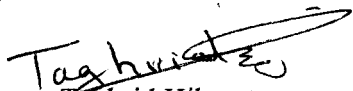
**FOR THE FOREGOING REASONS, THE CHAMBER**

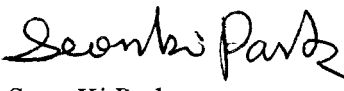
**ORDERS** the Registrar to forward the request of the Nzirorera Defence to Witness HAF and to facilitate the interview with him if he consents to be interviewed;

**ORDERS** Nzirorera’s Defence to respect all protective measures granted in the Chamber’s Decision of 19 March 2004<sup>1</sup> as modified by the Decision of 3 November 2004.<sup>2</sup>

Arusha, 12 October 2005

  
Asoka de Silva  
Presiding Judge

  
Taghrid Hikmet  
Judge

  
Seon Ki Park  
Judge



<sup>1</sup> Decision on the Prosecutor’s Motion for Review, Variation and Extension of Protective Measures for Victims and Witnesses, 19 March 2004.

<sup>2</sup> Decision on Bizimungu’s Motion for Reconsideration of the Chamber’s 19 March 2004 Decision on Disclosure of Prosecution Materials, 4 November 2004.