



UNITED NATIONS
NATIONS UNIES

ICTR-2001-73-T
6-4-2006
(4783-4782)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

4783
Dieng
R

OR: ENG

TRIAL CHAMBER III

Before Judges: Inés Mónica Weinberg de Roca, presiding
Khalida Rachid Khan
Lee Gacuiga Muthoga

Registrar: Adama Dieng

Date: 6 April 2006

2006-04-06
Adama Dieng
Registrar

THE PROSECUTOR

v.

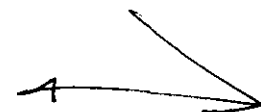
Protais ZIGIRANYIRAZO

Case No. ICTR-2001-73-T

**DECISION ON THE DEFENCE MOTION CONCERNING
A MEETING WITH WITNESS BPP**

Office of the Prosecutor:
Wallace Kapaya
Charity Kagwi-Ndungu
Gina Butler
Iskandar Ismail
Jane Mukangira

Defence Counsel:
John Philpot
Peter Zaduk



THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA,

SITTING as Trial Chamber III, composed of Judges Inés Mónica Weinberg de Roca, presiding, Khalida Rachid Khan, and Lee Gacuiga Muthoga;

BEING SEIZED of the “Defence Motion Concerning a Meeting with Witness BPP”, filed on 30 March 2006 (“Defence Motion”);

CONSIDERING the “Prosecutor’s Response to Defence Motion Concerning a Meeting with Witness BPP”, filed on 3 April 2006 (“Prosecution Response”);

NOTING the Defence request that the Chamber order the Prosecution to respect the Chamber’s Decision of 25 February 2003;

RECALLING the Chamber’s Decision of 25 February 2003, ordering that:

the Accused, or his Defence Counsel, notify the Prosecution in writing and on reasonable notice of their wish to contact any person hereby protected. Upon receipt of such request, the Prosecution shall immediately, with the prior consent of the person sought to be contacted, undertake the necessary arrangements to facilitate such contact.¹

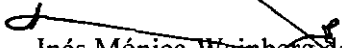
RECALLING the Chamber’s Decision of 27 March 2006, granting the Prosecution’s Request for Witness BPP to testify by video-link;²


CONSIDERING the Prosecution’s assurance that it has communicated to Witness BPP the Defence request for a meeting in Brussels, on 3 or 4 May 2005, and that it will facilitate this meeting with Defence Counsel, if and when the witness provides her consent;

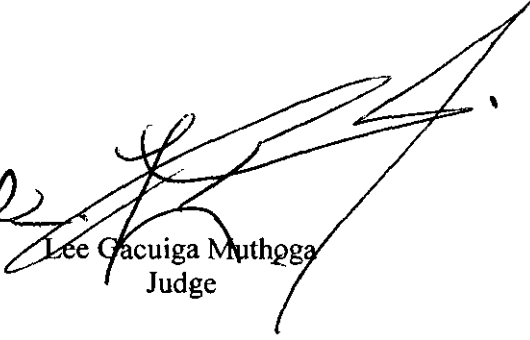
FURTHER CONSIDERING that the issue is moot;

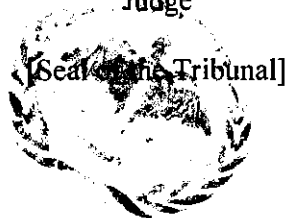
FOR THE ABOVE REASONS, THE CHAMBER DISMISSES THE DEFENCE MOTION.

Arusha, 6 April 2006


Inés Mónica Weinberg de Roca
Presiding Judge


Khalida Rachid Khan
Judge


Lee Gacuiga Muthoga
Judge



¹ *The Prosecutor v. Protais Zigiranyirazo*, “Decision on the Prosecutor’s Motion for Protective Measures for Victims and Witnesses” (TC), 25 February 2003, para. IX.

² *The Prosecutor v. Protais Zigiranyirazo*, “Decision on the Prosecution Motion for Witness BPP to Testify by Video-Link” (TC), 27 March 2006, paras. 6-12.