

ICTR-98-44F-R71bis  
18-02-2011  
(18-17)

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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*  
Judge Gberdao Gustave Kam  
Judge Vagn Joensen

**Registrar:** Adama Dieng

**Date:** 18 February 2011

**THE PROSECUTOR**  
v.  
Augustin BIZIMANA

Case No. ICTR-98-44F-71bis

2011 FEB 18 1P 2:18  
JUDICIAL RECORDS ARCHIVES  
UNICTR  
RECEIVED

**ORDER FOR SUBMISSIONS**

*Rule 71 bis (D) of the Rules of Procedure and Evidence*

**Office of the Prosecutor:**

Mr. Hassan B. Jallow  
Mr. Richard Karegyesa  
Mr. Paul Ng'arua  
Mr. Elvis Bazawule

by


1. On 7 February 2011, the Prosecution filed a motion requesting the preservation of evidence by special deposition for a future trial pursuant to Rule 71 *bis* (A) of the Rules of Procedure and Evidence.<sup>1</sup> On 15 February 2011, the President of the Tribunal appointed this Chamber to rule on the Prosecutor's request and instructed the Registrar to appoint Duty Counsel pursuant to Rule 44 *bis* to represent the interests of Augustin Bizimana.<sup>2</sup>

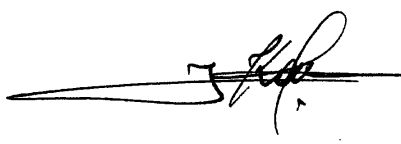
2. Pursuant to Rule 71 *bis* (D), the Chamber shall hear the Parties in a closed session to determine whether to grant the Prosecution's request that evidence relating to the Indictment be preserved for a future trial by special deposition as stated at sub-rule (E). The Chamber decides to hear the Parties in writing.

### FOR THESE REASONS, THE CHAMBER

- I. **ORDERS** the Parties to file submissions under confidential cover within 14 days of the appointment of Duty Counsel to represent the interests of Augustin Bizimana.
- II. **ORDERS** that any response be filed within 3 days of the filing of the submissions.
- III. **DIRECTS** the Registry to provide the Duty Counsel with the relevant documents to fulfil his mission on appointment.

Arusha, 18 February 2011, done in English.

  
Dennis C.M. Byron  
President

  
Gberdao Gustave Kam  
Judge

  
Vagn Joensen  
Judge



<sup>1</sup> The Prosecutor's Request for Preservation of Evidence by Special Deposition for a Future Trial (strictly confidential), dated 5 February 2011 and filed on 14 February 2011.

<sup>2</sup> *The Prosecutor v. Augustin Bizimana*, Case No. ICTR-98-44F-71bis, Designation of a Trial Chamber to Consider the Prosecutor's Request for Preservation of Evidence by Special Deposition for a Future Trial, 15 February 2011.

