



Mechanism for International Criminal Tribunals

Case No: MICT-12-25

Date: Dec. 3rd, 2014

Original: English

Before: Judge Theodor Meron,
MICT President

Registrar: Mr John Hocking

Monitor: Zbigniew Lasocik

PROSECUTOR

v.

JEAN UWINKINDI

**MONITORING REPORT
NOVEMBER 2014**

PUBLIC

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A handwritten signature in black ink, appearing to read 'McLean Carter', written over a rectangular box.

INTRODUCTION

1. Pursuant to the Terms of Reference for the Monitors, particularly part “C” of the Annex II to the MOU between MICT and ISLP (Europe), I respectfully submit this Report to the President of the MICT through the Registrar.
2. This Monitoring Report pertains to the activities in the *Uwinkindi* case before the Judiciary in the Republic of Rwanda and the interactions of the Monitor of the Mechanism for International Criminal Tribunals (MICT) with various stakeholders during the month November 2014.

COURT HEARINGS AND FILES

REVIEW OF THE FILE OF *UWINKINDI* CASE , NOV. 5TH

3. Starting from page no C 1009 to page no 1086 there were documents (special forms) describing defense witnesses. Documents related to two more witnesses were placed in some other place of the file.
4. Apart of that there were following documents filed:
 - Document filed by Mr. G. Gashabana summarizing main claims of the Defense, dated June 2, 2014, page 1087.
 - The decision of the Court on new Judges of the Bench, dated September 16, 2014;
 - Minutes of the hearing October 15th.
 - Document dated Oct. 3rd, 2014, filed by the Counsels describing Mr. Uwinkindi as a person, information about his professional and personal abilities and about his cooperators.
 - Minutes of the hearing of October 16th.
 - Minutes of the hearing of October 22nd.
 - Document submitted by Mr. Uwinkindi to the Court at the hearing in which he claimed that the Prosecution suggested the witnesses what to testify, page 1155.
 - Letter from Mr. Gashabana to Presiding Judge on conflicting terms of the hearings in two cases he was involved.
 - Minutes of the hearing of October 23rd.

5. REDACTED

VISIT TO PRISON

MEETING WITH MR. UWINKINDI, NOV. 6TH, 2014

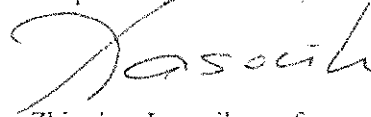
6. This time meeting with Mr. Uwinkindi was devoted almost exclusively to prison conditions. According to Mr. Uwinkindi situation has worsened recently.
7. REDACTED
8. Mr. Uwinkindi stated that although this issue was raised many times, also in Monitoring Reports, there is no running water in the taps. The only tap which is working is in the toilet.
9. Mr. Uwinkindi stated that there is still no light in the toilet which makes using of it at night very difficult. This issue was also mentioned many times.
10. According to Mr. Uwinkindi the security system does not work at all. Even if the prisoners ring the security bell installed in the Unit there is no reaction from the staff.
11. Mr. Uwinkindi complained that the young prisoner who occasionally helped them in day to day activities was finally removed from their Unit.
12. According to Mr. Uwinkindi private correspondence of prisoners is being blocked by prison administration. He referred to his letter related to the registration of his children which was stopped by the Prison Director.
13. Mr. Uwinkindi stated that administration demonstrates lack of good will to cooperate with prisoners. He gave a following example: he received permission for his family to deliver him some food, mostly fruits. In the meantime the Director withdrew his permission but nobody informed the family on that. When the relatives of Mr. Uwinkindi arrived the food was confiscated. According to Mr. Uwinkindi this situation has happened two weeks before my visit to prison.
14. Mr. Uwinkindi complained that he was not allowed to participate in religious services which for him as a pastor was difficult to accept.
15. Mr. Uwinkindi informed me that there was another door (bar) connecting Special Unit with another part of the prison. It served as security exit and a source of the fresh air for one of the corridors of the Unit. According to Mr. Uwinkindi Prison Director ruled to brick up large part of this bar door. According to Mr. Uwinkindi, seconded by other prisoners, if the door would be closed completely prisoners leaving there would suffer lack of fresh air. (*Nota bene:* I have seen this bricked up wall. I also noticed that there are no windows in the cells in the corridor next to this door – ZL)

CONCLUSIONS

16. REDACTED

17. I will continue monitoring of this case in months to come.

Respectfully submitted,



Zbigniew Lasocik, prof.
Monitor for the *Uwinkindi* case

Dated: Dec. 3rd, 2014
Warsaw, Poland