

MICT-12-25
27-01-2015
(778 - 767)

778
ZS

UNITED
NATIONS



Mechanism for International Criminal Tribunals

Case No: MICT-12-25

Date: 17 December 2014

Original: English

Before: Judge Theodor Meron, President

Registrar: Mr. John Hocking

PROSECUTOR

v.

JEAN UWINKINDI

PUBLIC

SECOND MONITORING REPORT FOR NOVEMBER 2014

Monitors:

Ms. Jelena Gudurić
Prof. Zbigniew Lasocik
Ms. Xheni Shehu

**Received by the Registry
Mechanism for International Criminal Tribunals
27/01/2015 08:55**

McLellan Carter

CONTENTS

I.	INTRODUCTION.....	3
II.	DETAILED REPORT	3
	A. Monitoring Mission from 10 to 13 November 2014	3
	<u>Meeting with the Prison Director of 11 November 2014</u>	3
	<u>Court Hearing of 12 November 2014</u>	5
	<u>Meeting with the Prison Director of 12 November 2014</u>	6
	<u>Meeting with Mr. Uwinkindi on 12 November 2014</u>	6
	<u>Meeting with Lead Counsel for the Prosecution on 13 November 2014</u>	7
	B. Monitoring Mission from 25 to 28 November 2014	7
	<u>Court Hearing of 26 November 2014</u>	7
	<u>Meeting with Lead Counsel for the Prosecution on 26 November 2014</u>	10
	<u>Review of the Case File on 26 November 2014</u>	10
	<u>Meeting with Mr. Uwinkindi on 27 November 2014</u>	10
	<u>Visit to Block I on 27 November 2014</u>	11
	<u>Meeting with Lead Counsel for the Defence on 28 November 2014</u>	11
III.	CONCLUSION	11

I. INTRODUCTION

1. This monitoring report pertains to the activities in the *Uwinkindi* case before the Rwandan judiciary and the interactions of the monitors appointed by the Mechanism for International Criminal Tribunals with various stakeholders.
2. In the month of November 2014, the appointed monitors – Ms. Jelena Gudurić, Prof. Zbigniew Lasocik and Ms. Xheni Shehu (individually “Monitor”, collectively “Monitors”) each made one visit to Rwanda. This report pertains to Ms. Gudurić’s and Ms. Shehu’s mission (“Reporting Period”).¹
3. Two court hearings were held in the Reporting Period: on 12 and 26 November 2014. The hearings were held before the full Chamber. Mr. Uwinkindi was in attendance and was represented by his Lead Counsel Mr. Gatera Gashabana and Co-Counsel Mr. Jean-Baptiste Niyibizi (“Defence”). The Prosecution was represented by Mr. Jean-Bosco Mutangana (“Prosecution”). The Monitors followed all hearings with the assistance of the interpreter. The 12 November 2014 hearing was brief as the Chamber orally adjourned the trial until 26 November 2014. When the Court resumed on 26 November 2014, the Chamber heard two Defence oral motions seeking, first, additional time to respond to the Prosecution written submission and, second, a six-month adjournment to complete its investigation, as well as the Prosecution oral reply (“Prosecution Reply”) to the Defence response to the Indictment and the Prosecution opening statement (“Defence Response”).
4. The Court will resume on 10 December 2014.
5. In addition to observing the hearings, the Monitors met with Mr. Uwinkindi, his Lead Counsel, Prosecution Counsel, and Prison Director, examined the Case File, and visited the Special Enclosure of the Kigali Central Prison, also known as Block 1, where detainees in the referred cases are held (“Block 1” and “Prison”, respectively).²
6. A detailed report on all activities during the Reporting Period is provided below.

II. DETAILED REPORT

A. Monitoring Mission from 10 to 13 November 2014

Meeting with the Prison Director of 11 November 2014

7. Mr. Mugisha, new Prison Director, provided information concerning several detention-related issues.
8. Concerning the food available in Block 1, Mr. Mugisha explained that all meals are prepared at the Prison canteen, including breakfast, and brought to the detainees ready-made. He noted that the food regime at Block 1 differs from the one applicable in the remaining part of the Prison in that the detainees in Block 1 receive three meals a day,

¹ Ms. Gudurić and Ms. Shehu prepared the part of this report corresponding to their respective mission. Prof. Lasocik filed a separate report on his mission. See *Prosecutor v. Jean Uwinkindi*, Case No. MICT-12-25, Monitoring Report November 2014, public, dated 3 December 2014, received by the Registry on 13 December 2014.

² The Monitors met with Mr. Uwinkindi and examined the Case File with the assistance of the interpreter.

which are all prepared in line with the established menu. Due to safety reasons, the detainees of Block 1 are not allowed to share food with other detainees. While meals are provided at specific times, the Prison administration takes into account the court schedule. As an example, Mr. Mugisha noted that if a court hearing starts at 8 a.m., breakfast is ready and served at 6 a.m. so that enough time remains for the detainee to leave the Prison by 7:30 a.m.

9. In addition to food prepared at the Prison canteen, ailing detainees are permitted to have their visitors bring them cooked food. The Prison guards check such food to ensure no contraband is imported. In addition, the detainees (as well as their visitors) can buy fruit at the Prison shop. For security reasons, it is not permitted for visitors to bring fruit and produce; they are permitted to import only cooked food.
10. Mr. Mugisha noted that Block 1 detainees had been provided with the assistance for chores: another detainee had been appointed to perform these tasks. This arrangement was offered on an exceptional basis, and did not amount to an entitlement. However, according to Mr. Mugisha, Block 1 detainees used the assistant to send messages to the other part of the Prison. The Prison management then replaced the assistant and warned Block 1 detainees that the assistance will be abolished should they continue to send messages in this manner. As the second assistant was also caught with messages on three occasions, the Prison management decided to abolish the assistance.
11. Mr. Mugisha was pleased to inform the Monitor that an alarm has been installed within Block 1 which the detainees can now use to call the attention of guards 24 hours a day. He also reported that the Prison administration is in the process of replacing the lights and painting the premises of Block 1.
12. Mr. Mugisha noted that, in line with the regulations, all detainees are allowed to have visits by friends and family of up to 10 minutes, every Friday. The Prison houses more than 3,000 detainees and the time limitation is necessary to ensure all visitors can receive visits. Visits take place in the communal, open-air area of the Prison and occur at the same time and place for a number of detainees. One-on-one visits are allowed only with lawyers. Due to this rule, the detainees are also not allowed to have private conversations with the Priest. As an exception to the general 10-minute limit for visits, the detainees of Block 1 are allowed to have longer visits because there are only six of them and there is no time-pressure. In practice, their visits last no less than 30 minutes.
13. Turning to the procedure for the admission of visitors, Mr. Mugisha explained that each visitor is required to show an identification document at the entrance to the Prison, and is searched before entering the Prison compound. Only persons with a valid identification document are allowed entry. They then proceed to the reception point, where they are required to fill in the visitor form *i.e.* provide information on the detainee and their own personal information. The visitor then awaits until the detainee is informed of the visit and brought to the visiting area.
14. Mr. Mugisha explained that the Prison Administration is endeavouring to accommodate the Block 1 detainees as much as possible. For example, he noted that they have been facilitating Mr. Uwinkindi's visits outside the visiting day, and that Mr. Mugisha himself had a number of meetings with Mr. Uwinkindi and his wife in order to assist them with a private matter.

15. With regard to medical care, Mr. Mugisha explained that nurses are present at the Prison infirmary every day. In cases of emergency, they can provide first aid. In addition, a medical doctor visits the Prison every week. The Rwandan Correctional Service signed a contract providing for weekly visits by a medical doctor. However, since the appointed doctor was unable to attend to the Prison since September 2014 due to a course he has been attending, the Prison administration is in the process of replacing him.

Court Hearing of 12 November 2014

16. The Chamber opened the hearing by noting that the Prosecution Reply was due to be heard that day. The Prosecution, however, filed a motion seeking a postponement of the hearing. The Chamber invited the Prosecution to provide the reasons for the request.
17. Firstly, the Prosecution indicated that it required more preparation time to address a number of issues which were raised in the Defence Response. Secondly, the Prosecution explained that, owing to the length of their witness list, it did not have sufficient time to accommodate the Chamber's request to remove those witnesses from the list whose evidence is of a repetitive nature. Finally, the Prosecution added that training for East African Prosecutors was ongoing that week and that all Prosecution Counsel in the case were attending and preparing presentations for the training. The Prosecution observed that this was the first Prosecution motion for a postponement.
18. Mr. Uwinkindi responded that he understands if the Prosecution is not able to plead that day. He noted however that he had not been aware of the Prosecution written request as his Counsel had only provided him with it immediately before the hearing.
19. The Chamber asked Mr. Uwinkindi to clarify if he agreed to the request for postponement and he responded in the affirmative.
20. The Chamber added that when a written request is served on Counsel it is their duty to inform Mr. Uwinkindi of its content and that it is not the Prosecution's fault if this is not done in a timely manner. The Chamber did not allow Mr. Uwinkindi to elaborate on the content of the request and its reasons but only to indicate if he agreed with the postponement or not.
21. The Chamber noted that Defence Counsel had also submitted a written request for postponement and invited them to provide the reasons underlying their request.
22. Counsel submitted that they were unable to provide the Court with particulars of their witnesses as previously directed by the Chamber. Counsel will continue to contact Defence witnesses residing in Rwanda, and will be in a position to provide a list of these witnesses. However, Counsel continues to face difficulties with witnesses who reside outside the country. Counsel stressed the importance of the Defence's ability to have access to witnesses who are able to support their case. Counsel recalled that, on 5 September 2013,³ the Defence was told that they will be given time to search for

³ See *Prosecutor v. Jean Uwinkindi*, Case No. MICT-12-25, Monitoring Report for the Uwinkindi Case (July-August 2013), public, dated 12 September 2013, para. 18, and *Prosecutor v. Jean Uwinkindi*, Case No. MICT-12-25, Monitoring Report for the Uwinkindi Case (September 2013), public, dated 28 October 2013, para. 4.

- witnesses who live abroad. In line with this, the Defence are seeking a postponement of the trial to locate witnesses.
23. In response to the Chamber's question, Counsel indicated that he is unable to give an approximate time it will take them to identify all defence witnesses. He added that since both parties have made a motion for a postponement of the hearing, the Chamber should grant it.
 24. The Prosecution stated that they did not oppose the Defence request.
 25. The Chamber granted a postponement and scheduled the next hearing for 26 November 2014 at 8:30 a.m. It ordered the Prosecution to submit a written reply to the Defence Response by 24 November 2014, and instructed the Defence to provide the list of witnesses who reside in the country by 20 November 2014.
 26. Counsel enquired about the Defence witnesses who reside abroad and the Chamber indicated that it would not deal with such witnesses at that time.

Meeting with the Prison Director of 12 November 2014

27. Only one matter was discussed at this meeting. Mr. Mugisha explained that there is a door, which connects Block 1 with another part of the Prison, that has never been in use. It was discovered that detainees were passing messages to and from Block 1 underneath this door. For this reason, the door was bricked up.
28. Mr. Mugisha took the opportunity to reiterate his commitment to ensure adequate conditions of detention in Block 1 and overall in the Prison.

Meeting with Mr. Uwinkindi on 12 November 2014

29. Mr. Uwinkindi raised several issues concerning his trial. He indicated that he is presently not concerned about his conditions of detention as his only preoccupation is his trial.
30. He expressed dissatisfaction with the lack of the Prosecution Reply. Given the time that has lapsed since the Indictment was issued – almost two years – the Prosecution should have been prepared to reply, in Mr. Uwinkindi's view.
31. Mr. Uwinkindi is gravely concerned with the ordered withdrawal of certain Prosecution witnesses. He believes that statements of these witnesses will remain in the case file and that he will not be able to challenge their evidence through cross-examination. Mr. Uwinkindi opined that the Chamber should have ordered the Prosecution to remove the statements of any withdrawn witnesses from the case file.
32. Mr. Uwinkindi expressed dissatisfaction with his lawyers' lack of interest in attending his meetings with the Monitors.
33. Mr. Uwinkindi stated that his lawyers have indicated that they have not received any funds to locate specific witnesses whose evidence would support his line of defence. In Mr. Uwinkindi's view, the lack of funds significantly affects his ability to prepare his case.

34. Mr. Uwinkindi informed that a representative of the Ministry of Justice brought a new draft contract regulating the remuneration of Counsel to all detainees in Block 1. The Ministry also proposed this new contract to his Counsel. Mr. Uwinkindi raised a concern with respect to Article 6 of the new contract as it limits Counsel's ability to make submissions. Article 6 regulates the termination of the contract and provides that the Ministry of Justice reserves the right to terminate the contract with 30-day notice if, *inter alia*, Counsel makes submissions that discredit the Government or the Ministry in the context of his legal representation, either before the press or during the trial.
35. Mr. Uwinkindi noted that his lawyers make submissions in French as they had explained to him that they express themselves better in that language. While he had asked them many times to provide him with corresponding translations into Kinyarwanda they have not done so.

Meeting with Lead Counsel for the Prosecution on 13 November 2014

36. Mr. Mutangana, Lead Counsel for the Prosecution, briefly discussed the hearing of 12 November 2014. He reiterated the reasons for their request for postponement of the hearing as presented in Court. He added that his office, while committed to expedite trials, has multi-disciplinary duties including administration and capacity building, and observed that the Defence did not object to their request.

B. Monitoring Mission from 25 to 28 November 2014

Court Hearing of 26 November 2014

37. The Chamber opened the hearing by announcing that it would hear the Prosecution Reply. Upon receiving permission to address the Chamber, Mr. Uwinkindi stated that he received the Prosecution's written submission on 24 November 2014 and that he did not have an opportunity to discuss it with his Counsel or prepare a response.
38. The Chamber indicated that it had also received the written submission on 24 November and requested the Prosecution to proceed with its oral submission.
39. With the Chamber's leave, Counsel for the Defence proceeded to make two motions. First, Counsel requested that the Chamber postpone the Prosecution's oral submission until the Defence has had an opportunity to review and submit a written response to the Prosecution written submission. Counsel explained that he had received the written submission of 70 pages on 25 November 2014 and had not had the opportunity to examine the document or discuss it with his client. Noting the fundamental principle of equality of arms, Counsel requested two months to review and prepare a written response so that oral briefings by the two Parties can be made on an equal footing.
40. The Prosecution responded that the Defence does not need additional time to review and respond to the submission as the submission is based on what has already been pleaded. The Prosecution argued that, in the alternative, the Chamber should grant the Defence one month to review and respond to its submission.
41. In response, Counsel for the Defence argued that the Court has established a practice for the Parties to exchange submissions. Counsel maintained that they need additional time to review and prepare a response. During his submissions, the Chamber

interjected by noting that the Court is aware of the position of the Defence and ruled that no further submissions were required. Counsel requested to make an additional point in relation to his first request. The Chamber expressed its impression that the Defence does not have faith in the Court and asked Counsel to give the Chamber time to make a decision. Counsel added that the Prosecution was granted a privilege that should be made equally available to the Defence.

42. In his second motion, Counsel addressed the issue of investigations of Defence witnesses residing outside Rwanda. Counsel recalled the Chamber's ruling of 16 May 2013, in which the Chamber denied the Defence's application for the appointment of investigators.⁴ Furthermore, Counsel noted the Chamber's decision of 5 September 2013 wherein the Chamber ruled that it would commence the trial with the testimonies of Defence witnesses residing in Rwanda in order to allow time for the continued negotiation between the Defence and the Ministry of Justice regarding the investigation of witnesses residing abroad.⁵ Counsel stated that despite a number of requests to the Ministry of Justice, the issue of Defence witnesses residing abroad has not yet been resolved. Counsel explained that given the lack of financial means and support, the Defence has been unable to undertake investigations of witnesses living abroad. Further, Counsel argued that only after completing the investigation of witnesses residing outside Rwanda would the Defence be able to plead on an equal footing with the Prosecution. Counsel asked the Chamber to adjourn the trial for six months in order to conduct its investigations.
43. Counsel urged the Chamber not to interpret the motion as a delaying tactic but to consider it as fundamental to the rights of the accused to equality of arms, to a fair trial and to present his line of defence.
44. The Prosecution asked the Chamber to dismiss the Defence motion. The Prosecution argued that it is unclear from the Defence submissions whether they are requesting six months from the time they receive funding or six months to complete the investigations. Further, the Prosecution argued that the Defence is not clear about the precise steps to be undertaken for the investigation and has not provided any information to enable the court to determine whether the witnesses residing abroad can make a meaningful contribution to the proceedings. According to the Prosecution, the principle of equality of arms is not the only factor for the Chamber to consider given that the trial is at an advanced stage and the Defence already has a large number of witnesses in Rwanda.
45. The Prosecution argued that additional time should not be granted for investigation of witnesses residing abroad before the Defence can show the Court that they have located all the witnesses inside Rwanda. While in agreement with the Defence that the accused should be given the same rights as the Prosecution, the Prosecution questioned whether the accused has the right to contact every witness he wishes to contact, and whether the Defence application is another attempt to delay the trial.

⁴ See *Prosecutor v. Jean Uwinkindi*, Case No. MICT-12-25, Report of the Court Monitors for the Uwinkindi Case (1 May to 30 June 2013), public, dated 30 June 2013.

⁵ See *Prosecutor v. Jean Uwinkindi*, Case No. MICT-12-25, Monitoring Report for the Uwinkindi Case (July-August 2013), public, dated 12 September 2013, and *Prosecutor v. Jean Uwinkindi*, Case No. MICT-12-25, Monitoring Report for the Uwinkindi Case (September 2013), public, dated 28 October 2013.

46. By reference to Article 16 of the Transfer Law,⁶ the Prosecution argued that the Court can order the testimony of witnesses to be given in different forms. Therefore, according to the Prosecution, delaying the trial is not justified. The Prosecution submitted that the Defence should provide information concerning their investigation in Rwanda while continuing to secure the means to fund investigations abroad. In conclusion, the Prosecution expressed that it is not their intention to suppress the rights of the accused but to ensure an expeditious trial.
47. Counsel for the Defence responded that without any financial means the Defence has been unable to undertake any investigations outside Rwanda. Counsel submitted that an expeditious trial does not justify impinging on the rights of the accused. Noting that the Chamber is aware of the position of the Defence, the Chamber ruled that no further submissions were required.
48. After a brief deliberation, the Chamber delivered its oral decision. It granted the Defence two weeks to review and prepare its submissions, noting that this was the same amount of time that the Chamber granted to the Prosecution. With respect to the second motion, the Chamber noted that the Defence cannot determine the time required to secure funding or complete its investigations. Accordingly, the Chamber ruled that the trial should continue with the Defence witnesses residing in Rwanda, which would allow for the continued negotiation between the Defence and the Ministry of Justice for an additional allocation of resources.
49. The Prosecution proceeded with its reply to the Defence Response. The Prosecution maintained that the accused has been charged with the crime of genocide and crimes against humanity under the Statute of the International Criminal Tribunal for Rwanda ("ICTR"), Transfer Law and Rwandan Criminal Code. Further, the Prosecution rejected the Defence claim that Mr. Uwinkindi has been charged with counts that are not included in the ICTR indictment. According to the Prosecution, the Rwandan Indictment and that of the ICTR are the same.
50. With regards to challenges related to the temporal scope of the Indictment, the Prosecution argued that the Indictment is precise and gives sufficient notice to the accused. Noting that adducing evidence on the exact days the crimes were committed would be difficult after 20 years, the Prosecution further submitted that Mr. Uwinkindi has been accused under the period prescribed by law and the individual crimes have been pleaded with sufficient specificity. The Prosecution proceeded to describe in detail how witnesses' testimony and supporting evidence will show that Mr. Uwinkindi committed the charged crimes on certain dates and times. It opined that any differences in witnesses' testimony are insignificant. The Prosecution acknowledged that minor errors were made in the Indictment and submitted that it intends to rectify such errors during the testimony.
51. The Chamber scheduled the next hearing for 10 December 2014 at 8:30 a.m.

⁶ Article 16 of the Transfer Law, titled "Testimony of witnesses residing abroad," in paragraph one provides: "Without prejudice to the provisions of Article 15 of this Law, where a witness is unable for good reason to physically appear before the High Court to give testimony, the judge may upon request of a party order that the testimony of such witness be taken in the following manner: 1. by deposition in Rwanda or in a foreign jurisdiction, taken by a competent authority authorized by the Judge for that purpose; 2. by video-link hearing taken by the judge at trial; 3. by a judge sitting in a foreign jurisdiction for the purpose of recording such viva voce testimony."

Meeting with Lead Counsel for the Prosecution on 26 November 2014

52. Mr. Mutangana stated that the Defence has a right to investigation and to call key witnesses, including those residing outside Rwanda. He indicated that he did not doubt that these witnesses should be reached and brought to testify. However, he explained that Article 16 of the Transfer Law allows for the possibility that their testimony be facilitated through different means, such as teleconference or video-link. Mr. Mutangana opined that the Defence should and will get the means to investigate witnesses abroad. However, he explained that he did not agree with a postponement of the trial, especially at this stage, because of the uncertainty surrounding the timeline of negotiations with the Ministry of Justice. Additionally, he noted that the Defence agreed with the Court in September 2013 on how the Court would proceed with the testimony of Defence witnesses.

Review of the Case File on 26 November 2014

53. The Monitor reviewed the case file in a private room arranged by the Registrar. The Monitor noted that the following documents were added to the case file: the Prosecution's written reply to the Defence Response, filed on 24 November 2014; the Defence request seeking postponement of hearings in order to complete investigations, filed on 24 November 2014; a letter from the Defence informing the Court of the status of investigations of witnesses residing outside Rwanda, filed on 11 November 2014; Prosecution's updated list of witnesses filed on 25 November 2014.

Meeting with Mr. Uwinkindi on 27 November 2014

54. Mr. Uwinkindi wished to draw two detention concerns to the attention of the Monitor. Firstly, in Mr. Uwinkindi's view, the detainees of Block 1 are wrongfully being punished by the Prison authorities. Mr. Uwinkindi explained that on 18 November 2014, the detainees of Block 1 had a meeting with the Prison Director and the General Director of Operations of the Rwandan Correctional Services, wherein the detainees were informed that they were under sanctions for engaging in prohibited conduct of exchanging letters with other prisoners. Mr. Uwinkindi indicated that the meeting was not helpful because issues and concerns could not be discussed in any meaningful way. Mr. Uwinkindi reported that, on the same day, the detainees of Block 1 wrote a letter to the Prison Director seeking a meeting to clarify the issue and address other detention concerns. According to Mr. Uwinkindi, the Prison Director had not responded as of 27 November 2014.
55. Secondly, Mr. Uwinkindi expressed concern with the visitation regime. According to Mr. Uwinkindi, the length of his visits have been reduced to 10 minutes. He indicated that, in the past, the average visitation time was 30 minutes. Additionally, Mr. Uwinkindi indicated that some of his visitors have not been permitted to visit him. According to Mr. Uwinkindi, on 14 November 2014, three individuals from Bugesera had come to visit him but the Prison officers did not allow them entry. Mr. Uwinkindi claimed that the Prison officers had informed the visitors that genocide survivors should not visit Mr. Uwinkindi. Mr. Uwinkindi stated that the three persons were members of his church.

56. Additionally, Mr. Uwinkindi discussed briefly the status of his proceedings. He wished to stress the issues of defence witnesses residing outside Rwanda and his right to an investigation. Mr. Uwinkindi expressed grave concerns about the hearing of 26 November 2014, stating that if Rwandan authorities are impeding his investigations, he cannot expect to receive any justice in Rwanda. He expressed deep concern about the adverse impact of this issue on his ability to fully and properly defend himself and ensure that he has a fair opportunity to present his defence.

Visit to Block 1 on 27 November 2014

57. The Monitor visited Block 1 accompanied by the Deputy Director of the Prison, Ms. Olive Mukantabana.⁷ The Monitor observed that the facility was under construction, including the surrounding grounds. The premises appeared not to have been cleaned. The hallways and the bathroom with showers did not have any lighting. The Deputy Director stated that the light bulbs had not been replaced because of the construction.

Meeting with Lead Counsel for the Defence on 28 November 2014

58. Mr. Gashabana expressed concern with the status of investigation of witnesses living abroad. He stated that the absence of financial means to conduct investigations has a major impact on the defence case, especially its ability to present its case after having taken into consideration the totality of the evidence in its favour. Mr. Gashabana noted that the Chamber has not taken a position on the issue of investigation, which he believes is contributing to further delays in finding a resolution. Further, Mr. Gashabana expressed concern about the possibility of having witnesses living abroad testify through video-link without the Defence having first seen them. He noted that although they provided a list of all of their witnesses to the Court and they have ascertained the location of the majority of their witnesses, they have not had the means to take statements of the witnesses residing abroad.

59. Mr. Gashabana also expressed disappointment with the hearing on 26 November 2014, stating that the Chamber did not grant the Defence sufficient time to make its oral submissions. He expressed further concern with what the Defence perceived as the Chamber's suggestion that the Defence does not have faith in the Court.

III. CONCLUSION

60. The Monitors remain available to provide any additional information, at the President's direction.

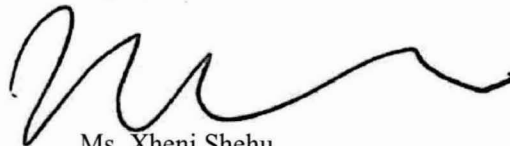
⁷ The Prison Director was unavailable for a meeting during the Monitor's mission.

Dated this 17th day of December 2014

Respectfully submitted,



Jelena Gudurić
Monitor for the *Uwinkindi* case
The Hague, the Netherlands



Ms. Xheni Shehu
Monitor for the *Uwinkindi* case
Arusha, Tanzania