

MICT-13-33
26-07-2015
(503 - 502)

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THE MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

CASE No. MICT-13-33

Before: Judge Vagn Joensen, Single Judge

Registrar: Mr. John Hocking

Date Filed: 27 July 2015

THE PROSECUTOR

v.

JEAN DE DIEU KAMUHANDA

Public

APPLICATION FOR LEAVE TO REPLY:
MOTION FOR DECISION ON CONTACT WITH
PERSONS BENEFITTING FROM PROTECTIVE MEASURES

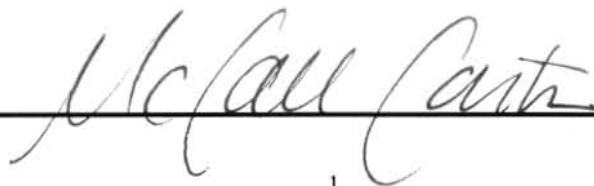
Office of the Prosecutor:

Mr. Hassan Jallow
Mr. Richard Karegyesa
Mr. Cheickh Bangura

Jean de dieu Kamuhanda:

Mr. Peter Robinson, Counsel

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1. Jean de dieu Kamuhanda respectfully seeks leave to reply to the *Prosecutor's Submissions on Motion for Contact with Persons Benefitting from Protective Measures* and the *Registrar's Rule 31(B) Submission following the Order for Submissions of 8 July 2015* pursuant to Rule 153.

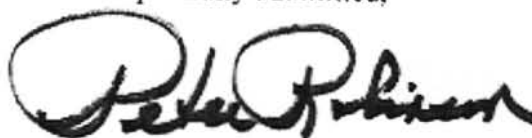
2. Mr. Kamuhanda believes that a reply brief can of assistance to the Single Judge in deciding the issues before him. The brief would respond to the prosecution's contention that while judicial intervention in requests to interview witnesses during trial may not have been found to be necessary in many cases, a different standard should apply to post-conviction proceedings,¹ and that a showing akin to that required for granting a request for review needs to be made for permission to interview a witness.²

3. The brief would also respond to submissions of the Registrar that a judicial order as to each individual witness, as opposed to an order applying to protected witnesses in Mr. Kamuhanda's case generally, is necessary to avoid compromising the neutrality of the WISP,³ and that the prosecution is better placed to contact its own protected witnesses to convey the defence request for interview than the WISP.⁴

4. Mr. Kamuhanda can file his reply within 48 hours of being notified that leave was granted.

Word count: 313

Respectfully submitted,



PETER ROBINSON
Counsel for Jean de dieu Kamuhanda

¹ *Prosecutor's Submissions* at paras. 7-8

² *Prosecutor's Submissions* at paras. 11-15

³ *Registrar's Submission* at para. 13

⁴ *Registrar's Submission* at para. 14