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## **Annan Is Said to Want New Prosecutor for Rwanda War Crimes**

By FELICITY BARRINGER

UNITED NATIONS, July 28 — Secretary General Kofi Annan told the chief prosecutor for war crimes tribunals for Yugoslavia and Rwanda today that he would recommend that she be relieved of her Rwanda responsibilities when the Security Council voted on renewing her contract, a Council ambassador said.

Mr. Annan agreed to wait while the prosecutor, Carla Del Ponte, lobbied Security Council members for a chance to renew her contract for both courts, the ambassador said. Her mandate for the two courts expires on Sept. 15.

This evening Ms. Del Ponte met briefly with Mr. Annan again to fill him in on her conversations before leaving for Europe. Asked about the conversation as she left the building, Ms. Del Ponte said: "No comment. Ask the secretary general."

Mr. Annan was expected to forward his recommendation immediately to the Council members.

The Council, diplomats say, is divided on the question of whether to split the prosecutors' jobs for the two courts. The United States and Britain tend to favor the idea while other Council members, including Germany and Spain, are sympathetic to Ms. Del Ponte's view that changing prosecutors in Rwanda so late in the investigation would seriously undermine the court's work. The deadline for bringing indictments in the Rwandan court is Sept. 14, 2004.

"If I had to vote, I would vote for giving her an extension of one or two years on both courts," said Inocencio Arias, the Spanish ambassador, who currently holds the rotating Council presidency. To take her Rwandan responsibilities away "makes it look as if she did a bad job," he said. "She didn't do a bad job."

Her supporters have argued that the effort to block renewal of her contract for the Rwanda court is led by Rwandan government officials who are afraid that some of their number might be vulnerable to prosecution if she were to continue.

While most of the genocidal massacres in 1994 in Rwanda, in which more than half a million people died, were the works of ethnic Hutu militants, some elements of the ethnic Tutsi forces who fought back and eventually supplanted the Hutu government might have taken part in thousands of reprisal killings.

Ms. Del Ponte has indicted only Hutu suspects thus far, but she has made it clear that her office is also pursuing cases against Tutsi suspects.

In Kigali, the Rwandan capital, the foreign minister, Charles Murigande, said, "No tears would be shed if the U.N. Security Council does not renew her mandate," Agence France-Presse reported.

But some critics have charged that the Rwanda court, which sits in Arusha, Tanzania, has taken a back seat to the Balkan tribunal in The Hague during Ms. Del Ponte's four-year term. The Rwanda tribunal has been plagued by logistical and personnel concerns since well before Ms. Del Ponte was appointed in 1999.

Speaking to reporters this morning, Mr. Annan said, "There is a sense that, as we approach the end, and both tribunals are being asked to come up with a completion strategy to be able to finish their work and close down the courts, it may be necessary to have two prosecutors to tackle that essential part of their work."

John D. Negroponte, the United States envoy here, was noncommittal when asked about his position on the number of prosecutors. Officials of the court have said that American diplomats have been pressing Ms. Del Ponte to drop the investigations of Tutsi-led killings and let the Rwandan government deal with them.