



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

ICTR-98-41-T
16-12-2003
(17938-17937)

17938
S. Musse

TRIAL CHAMBER I

Before: Judge Erik Møse, presiding
Judge Jai Ram Reddy
Judge Sergei Alekseevich Egorov

Registrar: Adama Dieng

Date: 16 December 2003

THE PROSECUTOR

v.

Théoneste BAGOSORA

Gratien KABILIGI

Aloys NTABAKUZE

Anatole NSENGIYUMVA

Case No. : ICTR-98-41-T

2003 DEC 16 A 10:00
S. Musse

**DECISION ON AUTHORIZATION FOR THE DEFENCE TO CONTACT
PROTECTED PROSECUTION WITNESSES**

The Office of the Prosecutor

Barbara Mulvaney
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Segun Jegede
Alex Obote-Odora
Christine Graham
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Counsel for the Defence

Raphaël Constant
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André Tremblay
Kennedy Ogetto
Gershom Otachi Bw'Omanwa

S. Musse

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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (“the Tribunal”),

SITTING as Trial Chamber I, composed of Judge Møse, presiding, Judge Jai Ram Reddy, and Judge Sergei Alekseevich Egorov;

BEING SEIZED OF the “Requête de la défense de Théoneste Bagosora visant à obtenir la permission de la Chambre pour entrer en contact avec un témoin annoncé du Procureur faisant l’objet de mesures de protection”, filed on 19 November 2003; the Motion to the same effect concerning Witness DF by the Defence for Ntabakuze filed on 5 December 2003; and the similar motion concerning Witness HX filed on 10 December 2003;

HEREBY DECIDES the motions.

INTRODUCTION

1. The Defence for Bagosora and Ntabakuze filed these three motions, seeking authorization from the Chamber to contact protected Prosecution witnesses LMG, DF, and HX, respectively. On 11 December 2003, the Defence for Bagosora indicated that it wished to contact one additional witness, Witness HN, although it had not yet filed a motion to that effect.

DELIBERATIONS

2. Having heard the oral submissions of the parties on 11 December 2003, the Chamber notes that there is no disagreement between the parties concerning the appropriate procedure for the Defence to contact Prosecution witnesses. Consequently no decision of the Chamber is required. The Defence may bring future problems, if any, to the attention of the Chamber.

FOR THE ABOVE REASONS, THE CHAMBER

DECLARES the three motions to be moot.

Arusha, 16 December 2003



Erik Møse
Presiding Judge



Jai Ram Reddy
Judge



Sergei Alekseevich Egorov
Judge

[Seal of the Tribunal]

