

ICTR-99-50-T
05-05-2004
(13418 — 13417)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

13418
mbgs

Or: ENG

TRIAL CHAMBER II

Before: Judge Khalida Rachid Khan

Registrar: Mr. Adama Dieng

Date: 29 April 2004

The PROSECUTOR
v.
Casimir BIZIMUNGU
Justin MUGENZI
Jerôme BICAMUMPAKA
Prosper MUGIRANEZA
Case No. ICTR-99-50-T

2004 MAY -5 A 11:30
JUDICIAL PROCEEDINGS
ICTR

**DECISION ON PROSPER MUGIRANEZA'S EMERGENCY MOTION
PURSUANT TO RULE 68 FOR EXCULPATORY EVIDENCE RELATED TO
WITNESS GKS**

Office of the Prosecutor:

Paul Ng'arua
Ibukunolu Babajide
Elvis Bazawule
George Mugwanya

Counsel for the Defence:

Michelyne C. St. Laurent and Alexandra Marcil for Casimir Bizimungu
Howard Morrison and Ben Gumpert for Justin Mugenzi
Pierre Gaudreau and Michel Croteau for Jérôme Bicamumpaka
Tom Moran and Christian Gauthier for Prosper Mugiraneza

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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (the "Tribunal"),

SITTING as Trial Chamber II, composed of Judge Khalida Rachid Khan, assigned to decide this Motion pursuant to Rule 73(A) of the Rules of Procedure and Evidence, (the "Trial Chamber");

BEING SEIZED of "Prosper Mugiraneza's Emergency Motion Pursuant to Rule 68 for Exculpatory Evidence Related to Witness GKS" filed on 22 March 2004, (the "said Motion");

NOTING the "Prosecutor's Response to Prosper Mugiraneza's Emergency Motion Pursuant to Rule 68 for Exculpatory Evidence Related to Witness GKS" filed on 7 April 2004, (the "Response");

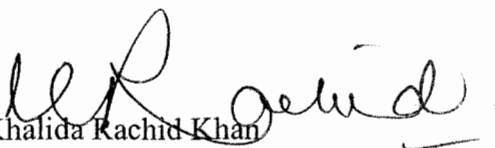
TAKING INTO CONSIDERATION the submissions made by both parties when this matter was taken up in open court on 24 March 2004;

CONSIDERING that the Trial Chamber has already issued an oral ruling regarding the said Motion on 24 March 2004, the Trial Chamber is of the view that this Motion is now moot and should be dismissed.

FOR THE ABOVE REASONS, THE TRIBUNAL

DISMISSES the said Motion in all respects.

Arusha, 29 April 2004


Khalida Rachid Khan
Judge

