

ICTR-95-1B-T
B-9-2004
(1319-1318)

1319
#m



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

Or: ENG

TRIAL CHAMBER III

Before: Judge Khalida Rachid Khan, Presiding
Judge Lee Gacuiya Muthoga
Judge Emile Francis Short

Registrar: Mr. Adama Dieng

Date: 13 September 2004

The PROSECUTOR

v.

Mika Muhimana

Case No. ICTR-95-1B-T

JUDICIAL RECORDS/ARCHIVES
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ICTR
2004 SEP 13 P 5: 50
[Signature]

**ORDER IN RELATION TO DEFENCE MOTION ON INADMISSIBILITY OF
WITNESS TESTIMONY**

Office of the Prosecutor:

Mr. Charles Adeogun-Philips
Mr. Wallace Kapaya
Mr. Peter Tafah
Ms. Renifa Madenga
Ms. Florida Kabasinga
Ms. Maymuchka Lauriston

Counsel for the Defence:

Professor Nyabirungu mwene Songa
Me Kazadi Kabimba

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

SITTING as Trial Chamber III, composed of Judge Khalida Rachid Khan, Presiding, Judge Lee Gacuiga Muthoga and Judge Emile Francis Short, (the “Trial Chamber”);

BEING SEIZED of the “Requête en irrecevabilité des témoignages relatifs à des charges ne figurant pas dans l’acte d’accusation modifié ou n’ayant pas été soutenues devant la chambre ou ayant été retractées par le procureur”, filed on 6 September 2004, (the “Motion”);

CONSIDERING that the Defence case was closed on 8 September 2004;

NOTING that this Motion was filed less than two working days before the close of trial, that the Defence made no reservation in court as regards this matter, and that both Parties are currently working on their closing arguments;

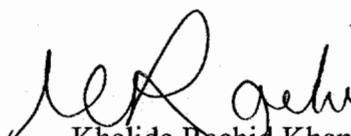
NOTING that the Trial Chamber should decide the issues raised in this Motion in the final Judgment;

THE TRIAL CHAMBER HEREBY

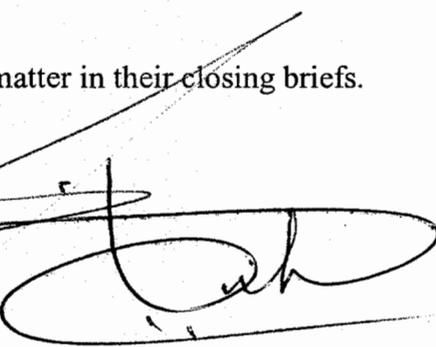
INFORMS the Parties that the Trial Chamber will deal with the substance of this Motion following the closing arguments of the Parties, and;

INVITES the Parties to include their submissions on this matter in their closing briefs.

Arusha, 13 September 2004


Khalida Rachid Khan
Presiding Judge


Lee Gacuiga Muthoga
Judge


Emile Francis Short
Judge

(Seal of the Tribunal)

