

ICTR-99-50-T
29-9-2004
(18223 — 18222)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

18223 *embargo*
Ors: ENG

TRIAL CHAMBER II

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

Registrar: Mr. Adama Dieng

Date: 28 September 2004

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

JUDICIAL RECORDS/ARCHIVES
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2004 SEP 29 A 11: 05

**DECISION ON JUSTIN MUGENZI'S MOTION FOR THE CHAMBER TO
EXCLUDE THE PROSECUTOR'S WILL SAY STATEMENT CONCERNING
WITNESS GKJ OF 20 SEPTEMBER 2004**

Office of the Prosecutor:

Mr. Paul Ng'arua
Mr. Ibukunolu Babajide
Mr. Justus Bwonwonga
Mr. Elvis Bazawule
Mr. Shyamlal Rajapaksa

Counsel for the Defence:

Ms. Michelyne C. St. Laurent and Ms. Alexandra Marcil for Casimir Bizimungu
Mr. Howard Morrison, Q.C. and Mr. Ben Gumpert for Justin Mugenzi
Mr. Pierre Gaudreau and Mr. Michel Croteau for Jérôme-Clément Bicamumpaka
Mr. Tom Moran 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, Presiding, Judge Lee Gacuiga Muthoga and Judge Emile Francis Short (the “Trial Chamber”);

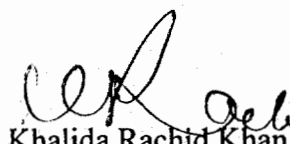
BEING SEIZED of the “Motion for the Chamber to Exclude the Prosecutor’s Will Say Statement Concerning Witness GKJ of the 20th September 2004” filed on 22 September 2004, (the “Motion”);


CONSIDERING that when this matter was taken up in court on 23 September 2004, the Prosecutor decided on his own initiative to withdraw the impugned will-say statement, the Trial Chamber is of the view that the Motion is now moot and should be dismissed.

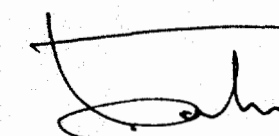
THEREFORE THE TRIAL CHAMBER

DISMISSES the Motion.

Arusha, 28 September 2004


Khalida Rachid Khan
Presiding Judge


Lee Gacuiga Muthoga
Judge


Emile Francis Short
Judge

