



UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

19450
Mwanja

OR: ENG

TRIAL CHAMBER II

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

Registrar: Mr Adama Dieng

Date: 6 December 2004

ICTR-99-50-T
6 - 12 - 2004
(19450-19449)

THE PROSECUTOR
v.
CASIMIR BIZIMUNGU
JUSTIN MUGENZI
JÉRÔME-CLÉMENT BICAMUMPAKA
PROSPER MUGIRANEZA

Case No. ICTR-99-50-T

JUDICIAL RECORDS ARCHIVES
RECEIVED
ICTR
2004 DEC -6 P 5:23

**DECISION ON THE PROSECUTOR'S EXTREMELY URGENT MOTION FOR THE
REVIEW AND CLARIFICATION OF THE TRIAL CHAMBER'S DECISION
DATED 24 NOVEMBER 2004 ON BICAMUMPAKA AND MUGENZI'S MOTION
FOR SPECIFICITY IN THE PRE-TRIAL BRIEF**

Office of the Prosecutor:

Mr Paul Ng'arua
Mr Ibukunolu Babajide
Mr Justus Bwonwonga
Mr Elvis Bazawule
Mr George William Mugwanya
Mr Shyamlal Rajapaksa

Counsel for the Defence:

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

ref

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 “Prosecutor’s Extremely Urgent Motion For The Review And Clarification Of The Trial Chamber’s Decision Dated 24 November 2004 On Bicumupaka And Mugenzi’s Motion For Specificity In The Pre-Trial Brief,” filed on 30 November 2004 (the “Motion”), in which the Prosecutor seeks clarification as to which witnesses the Order of 24 November 2004 applies to;

RECALLING the “Decision On Bicumupaka And Mugenzi’s Motion For Specificity In The Pre-Trial Brief,” rendered on 24 November 2004, in which the Prosecutor was Ordered “to file, by 15 December 2004, a document containing a list of all remaining witnesses to be called, specifying the paragraphs of the Indictment to which each of those witnesses will testify” (the “Order”);

CONSIDERING the Statute of the Tribunal (the “Statute”) and the Rules of Procedure and Evidence (the “Rules”);

CONSIDERING the matter solely on the Prosecutor’s brief of the parties pursuant to Rule 73(A) of the Rules.

HEREBY CLARIFIES that the Order of 24 November 2004 applies to *all factual witnesses* who are yet to testify.


Arusha, 6 December 2004



Khalida Rachid Khan
Presiding Judge



Lee Gacuiga Muthoga
Judge



Emile Francis Short
Judge

[Seal of the Tribunal]