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UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER III

Before Judges: Inés Mónica Weinberg de Roca, Presiding
Khalida Rachid Khan
Lee Gacuiga Muthoga

Registrar: Mr. Adama Dieng

Date: 31 January 2006

THE PROSECUTOR

v.

Protais ZIGIRANYIRAZO

Case No. ICTR-2001-73-T

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SECRETARIES

DECISION ON DEFENCE AND PROSECUTION MOTIONS

RELATED TO WITNESS ADE

Rules 46, 66, 68, 73, and 75 of the Rules of Procedure and Evidence

Office of the Prosecutor:

Stephen Rapp
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Gina Butler
Charity Kagwi-Ndungu
Iskandar Ismail
Jane Mukangira

Defence Counsel:

John Philpot
Peter Zaduk

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

SITTING as Trial Chamber III, composed of Judges Inés Mónica Weinberg de Roca, Presiding, Khalida Rachid Khan, and Lee Gacuiga Muthoga (“Chamber”);

BEING SEIZED of the Defence “Requête pour la communication des éléments exculpatoires Re Témoin ADE et d’éléments visées par l’Article 66 (Déclarations d’un témoin du Procureur)” filed on 6 December 2005 (“Defence Motion for Disclosure”); and **CONSIDERING** the Prosecution Response filed as confidential and *inter partes* on 12 December 2005¹ and the Defence Reply filed on 20 December 2005;²

BEING FURTHER SEIZED of the “Prosecutor’s Motion to Permit Limited Disclosure of Information Regarding Payments and Benefits Provided to Witness ADE and his Family” filed as confidential and *inter partes* on 12 December 2005 (“Rule 66(C) Motion”) and the “Prosecutor’s Supplemental Information to the Motion to Permit Limited Disclosure of Information Regarding Payments and Benefits Provided to Witness ADE and His Family” filed as confidential and *inter partes* on 15 December 2005; and **CONSIDERING** the Defence Response filed on 20 December 2005³ and the Prosecution Reply filed as confidential and *inter partes* on 22 December 2005;⁴

BEING FURTHER SEIZED of the “Prosecutor’s Motion for Sanctions Against Defence Counsel” filed as confidential and *inter partes* on 12 December 2005 (“Motion for Sanctions”); and **CONSIDERING** the Defence Response filed on 20 December 2005;⁵

BEING FURTHER SEIZED of the Defence “Requête pour soustraire le témoin ADE des mesures de protection” filed on 20 December 2005 (“Motion for Withdrawal of Protection”); and **CONSIDERING** that the Prosecution has not responded to it;

BEING FURTHER SEIZED of the “Prosecutor’s Confidential Request to Allow Witness ADE to Give Testimony via Video-Link” filed on 21 December 2005 (“Video-Link Motion”); and **CONSIDERING** the Defence Response filed on 28 December 2005⁶ and the Prosecution Reply filed on 13 January 2006;⁷

AND BEING FINALLY SEIZED of the “Defence Motion to the Chamber for Adjudication of Pending Motions” filed on 28 December 2005 (“Motion for Adjudication”); and **CONSIDERING** that the Prosecution has not responded to it;

RECALLING the Scheduling Order made on 19 January 2006 requesting the Prosecution to disclose to the Chamber, *in camera* and *ex parte* “all information and materials, including all

¹ “Prosecutor’s Response to Defence Motion for Disclosure of Payments and Benefits to Witness ADE and His Family”.

² “Réplique à la réponse du procureur a la requête pour la communication des éléments exculpatoires re témoin ADE et d’éléments visées par l’article 66 (déclarations d’un témoin du procureur)”.

³ “Réponse à la requête du Procureur ‘to permit limited disclosure of information regarding payments en benefits provided to witness ADE en his family’”.

⁴ “Prosecutor’s Rejoinder to Defence Reply Regarding Disclosure of Information of Payments and Benefits Provided to Witness ADE and His Family and to Defence Reply to Allow Limited Disclosure of Information”.

⁵ “Réponse à la requête du procureur pour sanctions contre le conseil de la défense”.

⁶ “Defence Response to Prosecutor’s Confidential Request to Allow Witness ADE to Give Testimony Via Videolink”.

⁷ “Prosecutor’s Reply to the Defence Response to the Prosecutor’s Confidential Request to Allow Witness ADE to Give Testimony Via Videolink”.

documents, related to the payments and benefits given to Witness ADE and his family, including the unredacted budget”;⁸

RECALLING the Decision of 25 February 2003 granting protective measures for Prosecution Witnesses (“Protective Order”);⁹

CONSIDERING the Statute of the Tribunal (“Statute”) and the Rules of Procedure and Evidence (“Rules”) particularly Rules 46, 66, 68(D), 73(F), 75(A) and 75(B);

NOW DECIDES the motions based solely on the written briefs of the Parties pursuant to Rule 73(A) of the Rules.

A. JOINDER OF THE MOTIONS

1. The Chamber is of the view that these motions are interrelated and should be decided together. The Chamber will rule on the motions in the following order: Motion for Withdrawal of Protection, Motion for Sanctions, Defence Motion for Disclosure and Rule 66(C) Motion, Video-Link Motion, and Motion for Adjudication.

B. MOTION FOR WITHDRAWAL OF PROTECTION

2. The Defence requests the Chamber to declare that its Protective Order is no longer applicable to Witness ADE. The Defence argues that although the Tribunal previously prohibited the disclosure of Witness ADE’s identity to the public, his name has since been made public due to the negligence of either the Prosecutor, Witness ADE himself or his family, or other sources.

3. The Protective Order shall remain in force. The Chamber is not satisfied that the Defence has shown a change in circumstances which would justify lifting the Protective Order.

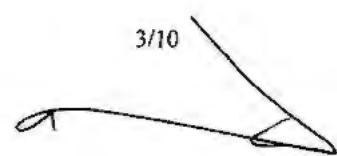
C. MOTION FOR SANCTIONS

4. The Prosecutor submits that the redacted statement taken from Witness ADE was disseminated to parties and posted on the Internet, in violation of the Protective Order. Further, the Defence Motion for Disclosure was filed by the Defence on 6 December 2005 as a public document when it should have been filed as confidential or strictly confidential, since the annexes contained information which identified Witness ADE.

5. The Prosecutor argues that these actions were unnecessary, and served only to identify Witness ADE to the public. The Prosecutor warns that these actions are likely to both compromise their efforts to obtain Witness ADE’s testimony and to discourage the

⁸ Scheduling Order – In Camera Hearing on Prosecutor’s Motion to Permit Limited Disclosure of Information Regarding Payments and Benefits Provided to Witness ADE and His Family, (TC), 19 January 2006.

⁹ Decision on the Prosecutor’s Motion for Protective Measures for Victims and Witnesses (TC), 25 February 2003.



cooperation of future witnesses, thus creating the impression that the Tribunal is incapable of protecting witnesses and victims.

6. The Prosecutor requests that the Chamber directs the Defence to change the Defence Motion for Disclosure classification level from "public" to "confidential", to find the unnecessary appendage of the photographs to the Defence Motion for Disclosure an abuse of process, to order the non-payment of fees in relation to the thirty-one (31) pages of appendices, and to warn Defence Counsel that further such acts could result in sanctions as provided for under Rule 46.

7. The Defence replies that the Prosecutor's request for sanctions against it should be dismissed. The Defence argues that the Prosecutor has not identified Defence counsel as being responsible for disclosure of the information on Witness ADE, nor has counsel committed an error that warrants sanctions. The Defence did not ask for sanctions against the Prosecutor for his failure to properly redact some of the statements disclosed.

8. The Chamber deplores the dissemination of Witness ADE's redacted statement to parties in violation of the Protective Order, and the filing of the Defence Motion for Disclosure as a public document when it should have been filed as confidential or strictly confidential. In order to limit disclosure of the sensitive information, the Chamber will order the Registrar to reclassify the filing as confidential. The Chamber will not impose sanctions on Defence counsel, but wishes to remind both parties to exercise due care when filing documents that contain confidential information.

D. DEFENCE MOTION FOR DISCLOSURE AND RULE 66(C) MOTION

9. The Defence requests the Chamber to order the disclosure of all benefits obtained by Witness ADE since 1995, and all new information from Witness ADE that was obtained in November 2005.

10. The Defence submits Witness ADE has received various benefits from the Prosecutor. Two requests from the Defence to transmit information concerning these benefits remain unanswered. Given the latter could affect the credibility of Prosecution evidence as envisaged in Rule 68(A), the Defence requests the disclosure of all benefits and payments rendered to Witness ADE.¹⁰

11. The Prosecutor responds by referring to its arguments in the Rule 66(C) Motion filed after the Defence Motion for Disclosure, which requests the Chamber denies such motion. In his motion, the Prosecutor requests that the Chamber grants permission under Rules 66(C) and 68(D) not to disclose to the Defence certain information regarding the provision of payments and benefits that he acknowledges having provided for Witness ADE and his family. He is of the view that the aforementioned information does not fall under Rule 68 as being potentially exculpatory. While the Prosecutor agrees that information or material concerning benefits or promises made to witnesses and victims beyond that which is reasonably required should be disclosed as evidence possibly affecting the credibility of the witnesses, the Prosecutor cites case law to support his contention that certain expenditures,

¹⁰ *The Prosecutor v. Edouard Karemera et al.*, Case No. ICTR-98-44-I, Decision on the Defence Motion for Disclosure of Exculpatory Evidence, 7 October 2003, para. 16.

such as transportation connected to investigations and hearings, do not fall within Rule 68.¹¹ The Prosecutor submits that all such payments and benefits were reasonably required: (1) to make it possible to interview Witness ADE on a full-time basis for an extended period and to compensate him for foregoing income to support his family; (2) to provide the family with resources to permit their relocation, security, and societal re-insertion in a new country; and (3) to provide Witness ADE with credit to make telephone calls to assist in further investigations. In other words, all such benefits and payments were provided to Witness ADE and his family to put him in the position he would have been in had he not assisted the Office of the Prosecutor.

12. The Prosecutor further submits that ADE is an insider witness who assumes greater risks by cooperation as he can be viewed as a traitor and can be subject to retribution. This could lead to the witness refusing to testify or withdrawing his cooperation with the Prosecutor.

13. The Prosecutor asserts that, because of the improper filing referred to in the Motion for Sanctions, he is making disclosure to the Accused in a manner that complies with the standards as set forth in the *Karemera* Decision on Paid Witnesses: the Prosecutor has provided a sworn declaration of an investigator setting forth the subsistence payments, the telephone credits, and notes that funds were expended for one-way travel for members of his family, without including specific amounts or dates, made to Witness ADE. The Prosecutor puts forth that he has also provided the approved budget for the costs of relocation of Witness ADE's family, in conformity with another decision in the *Karemera* case, which held that the money value of the expenditures for the relocation of a witness and his family were not necessary for determining his credibility.¹² The Prosecutor is also concerned that the disclosure of the amounts could reveal the place of relocation as well. The Prosecutor states that he is ready to hand-deliver to the Judges the unredacted budget when so requested. The Prosecutor further undertakes to submit to the Judges *in camera* all the details not included in the disclosure to the Defence according to Rules 66(C) and 68(D) if the Chamber so directs.

14. In response, the Defence refers to the conditions set out in Rule 68(D), which, have not been fulfilled in the present case. Specifically, the Prosecutor has not provided the Chamber, sitting *in camera*, with all the relevant information, as should have been done. Therefore, the Defence submits that the Motion is without legal foundation and should be dismissed.

15. The Prosecutor replies that he has undertaken a thorough search of his records and has provided the Defence with all documents in his possession regarding payments to Witness ADE. The Prosecutor insists that there are no new statements or additional information, nor does it have in its possession any records of phone calls made by Witness ADE. The only exception to this is a record regarding the purchase of phone cards, which should be available to the Judges only.

¹¹ *The Prosecutor v. Edouard Karemera et al.*, Case No. ICTR-98-44-PT, Decision on motion for Full Disclosure of Payments to Witnesses and to Exclude Testimony from Paid Witnesses, 23 August 2005, para. 7 ("Karemera Decision on Paid Witnesses").

¹² *The Prosecutor v. Edouard Karemera et al.*, Case No. ICTR-98-44-PT, Decision on Joseph Nzirorera's Motion for a Request for Governmental Cooperation, 19 April 2005, paras. 4-10.

16. The Prosecutor warns that the recent death of Juvénal Uwilingiyimana, a former senior public official in Rwanda, who was being interviewed by the Prosecutor, underlines the risks faced by cooperating insiders. The Prosecutor alleges that members of Witness ADE's family have been contacted in a manner designed to discourage Witness ADE's testimony.

17. In its reply, the Defence alleges that the information given in the "Prosecutor's Supplemental Information"¹³ filed as confidential and *inter partes* on 15 December 2005 is incomplete. The Defence provides some examples as to what other information it seeks from the Prosecutor.¹⁴ The Defence is of the view that the enormous benefits received by Witness ADE constitute, in and of themselves, a reason to lie and that it is therefore important to determine the payments and benefits in their entirety.

18. The Chamber recalls that, pursuant to Rules 66(C) and 68(D), the Prosecutor can be relieved from disclosing such information and materials if its disclosure "may prejudice further or ongoing investigations, or for any other reason may be contrary to the public interest or affect the security interests of any State."

19. The Defence requests the disclosure of two main categories of information. First, the Defence asks that the Prosecutor divulges all information on payments and benefits that Witness ADE has received since 1995. Second, the Defence asks for more detail including all documents, all information on the transfer of the witness's family, all records of telephone calls made by the witness, and other information.

20. The Chamber is of the view that the disclosure of the payments and benefits should be made in the interests of justice. However, the Chamber is also aware that Witness ADE is an insider witness, and thus assumes greater risks by cooperation.

21. The Prosecutor claims that the redacted budget was submitted in conformity with a decision in the aforementioned *Karemera* case.¹⁵ The Prosecution has provided the Chamber, *in camera* and *ex parte*, with an unredacted and comprehensive budget pertaining to Witness ADE.

22. The Chamber wishes to distinguish the circumstances at issue surrounding the payment of benefits from the above *Karemera* decision. In *Karemera*, the witness was not receiving payments directly from the Tribunal, but through a witness protection program of a specific State. In other words, the benefits were funded by the Tribunal but paid out and monitored by national authorities.

23. Taking into account all of the information available to it, the Chamber is of the view that the total cost of payments and benefits ought to be disclosed to the Defence in the interests of transparency and justice, because of its quantum, even though "the money value, in any given currency, of the expenditures of the respective government depends on the cost of living in the respective country, on exchange rates and various other external economic

¹³ "Prosecutor's Supplemental Information to the Motion to Permit Limited Disclosure of Information Regarding Payments and Benefits Provided to Witness ADE and His Family" filed as confidential and *inter partes* on 15 December 2005.

¹⁴ "Requête pour la communication des éléments exculpatoires Re Témoin ADE et d'éléments visées par l'Article 66 (Déclarations d'un témoin du Procureur)" filed on 6 December 2005, para. 12

¹⁵ *The Prosecutor v. Edouard Karemera et al.*, Case No. ICTR-98-44-PT, Decision on Joseph Nzirorera's Motion for a Request for Governmental Cooperation, 19 April 2005, paras. 9-10.

factors.”¹⁶ Without revealing the location of Witness ADE’s family, and without stating the individual costs of services and goods provided and further details, which might undermine the protective measures currently in effect, the Chamber has been made aware that the total cost of all payments and benefits over a two-year period is budgeted at approximately Two Hundred Thousand Dollars (\$200,000). Consequently, the Prosecutor has to certify this figure considering the amount which has been spent and is expected to be spent. The Chamber highlights, however, that it is the sum total of monies expended and to be expended which needs to be verified and confirmed by the Prosecutor. This verification should not comprise a list of inventory of expenses pertaining to the witness.

24. The Chamber now turns to the remaining issues, such as disclosure of all documents, all information on the transfer of the witness’s family, and all records of telephone calls made by the witness. The Chamber recalls that the Defence bears the onus of proof as the party alleging that a violation of Rule 68 has occurred.¹⁷ As stipulated in paragraph 23 above, the Chamber does not consider it necessary for any further documents pertaining to benefits and payments to be disclosed to the Defence.

E. VIDEO-LINK MOTION

25. The Prosecutor requests that the testimony of Witness ADE be given via video-link. The second Trial session started on 23 January 2006, and Witness ADE is expected to give evidence from 27 February 2006 to 3 March 2006. Relying on Rules 75(A) and 75(B), the Prosecutor asserts that hearing the testimony via video-link is necessary to guarantee the safety of Witness ADE.

26. Relying on the jurisprudence of the Tribunal,¹⁸ the Prosecutor submits that Witness ADE’s circumstances satisfy the criteria established to allow testimony via video-link. First, the expected testimony is sufficiently important in that Witness ADE will be adducing evidence on all five counts of the Indictment. Second, taking the testimony via video-link is in the interests of justice, as Witness ADE is the only witness able to provide evidence on both the alleged *Akazu* conspiracy, and on the Accused’s actions before and after 6 April 1994. Third, the Prosecutor states that Witness ADE is unwilling to travel to Arusha due to fears for his safety stemming from his position as an *Akazu* insider witness. Recent events, including the publishing of one of his statements on the Internet, the probable murder of Juvénal Uwilingiyimana, and threats received by his family, have all contributed to his sense of vulnerability. To this end, Witness ADE has signed an agreement with the Prosecutor that he will only testify in ICTR trials on the condition that he will not be required to appear in Arusha. Lastly, the Prosecutor submits that the Accused’s right to a fair trial will

¹⁶ *The Prosecutor v. Edouard Karemera et al.*, Case No. ICTR-98-44-PT, Decision on Joseph Nzirorera’s Motion for a Request for Governmental Cooperation, 19 April 2005, para. 9.

¹⁷ “*Karemera* Decision on Paid Witnesses”, paras. 7-8.

¹⁸ See the “Prosecutor’s Confidential Request to Allow Witness ADE to Give Testimony Via Video-Link”, filed on 21 December 2005, footnote 2.

not be compromised should the request be granted, in that the Prosecutor will undertake to fulfil the criteria established for testimony via video-link.¹⁹

27. The Defence responds with a different interpretation of the law regarding granting video-link testimony. The Defence sets forth three primary considerations for determining whether a request for testimony to be given via video-link should be granted: the importance of the testimony, the inability or unwillingness of the witness to attend, and whether good reason has been adduced for that inability or unwillingness. Moreover, whether granting the video-link would be in the interests of justice is to be evaluated in the context of the above criteria.

28. The Defence nonetheless provides arguments on each of the Prosecutor's four listed criteria. First, the Defence submits that Witness ADE's testimony will not prove to be important as it is mostly hearsay evidence and that much of his evidence will be inadmissible. Second, regarding the unwillingness of Witness ADE to travel to Arusha, the Defence submits that the agreement made between Witness ADE and the Prosecutor is irregular in that it usurps the role of the Chamber when it purports to assure Witness ADE that his testimony will be taken via video-link. The Defence states that this has the potential to bring the administration of justice into disrepute. The Defence denies that Witness ADE's statement was posted on the Internet, and notes that in any event, Prosecution witnesses who have travelled to Arusha have never been harmed. Third, Defence submits that the right to confront an accuser is a fundamental principle of law, and that the Accused will suffer considerable prejudice if he is unable to confront the witness in open court. Lastly, the Defence characterises the interests of justice as relating to Rwandans' need to heal, a process which requires open debate through testimony in person.

29. The Defence strongly contests the Prosecutor's interpretation of the circumstances surrounding the death of Juvénal Uwilingiyimana, suggesting that the death of this potential witness was not a murder to prevent testimony, but may have been a suicide. The Defence submits that Juvénal Uwilingiyimana was pressured by the Prosecutor to lie and further accuses the Prosecutor of fabricating evidence.

30. In reply, the Prosecutor maintains that the death of Juvénal Uwilingiyimana supports the Prosecutor's request by highlighting the risk faced by insiders who agree to testify. The Prosecutor adds that testimony via video-link would not prevent the Accused from confronting the accuser, but would merely change the medium of communication.

31. The standard for authorizing testimony by video-link was extensively discussed in the *Decision on Prosecution Request for Testimony of Witness BT Via Video-Link*.²⁰ Video-link testimony should be ordered when it is in the interests of justice, as elaborated in the jurisprudence of this Tribunal. In particular, the Chamber will consider the importance of the testimony; the inability or unwillingness of the witness to attend; and whether a good reason has been adduced for the inability or unwillingness to attend.²¹

¹⁹ The Prosecutor refers to the criteria established in *Prosecutor v. Duško Tadić* (IT-94-1-T), Decision on the Defence Motion to Summon and Protect Defence Witnesses, and on the Giving of Evidence by Video-Link ("*Tadić* Decision re Video-Link"), 25 June 1996, para. 22, which has been approved in subsequent cases including *Prosecutor v. Delalić et al.*, Decision to allow Witnesses K, L and M to give their testimony by means of video-link conference, 28 May 1997.

²⁰ *The Prosecutor v. Théoneste Bagosora et al.*, Decision on Prosecution Request for Testimony of Witness BT Via Video-Link (TC) ("*Bagosora* Decision re Video-Link"), 8 October 2004.

²¹ See also *The Prosecutor v. Aloys Simba*, Decision on the Defence Request for Taking the Evidence of Witness FMP1 by Deposition (TC), 9 February 2005; Decision Authorizing the Taking of the Evidence of

32. The Chamber appreciates the potential importance of Witness ADE's testimony to the Prosecution's case. The Chamber is also satisfied with the Prosecution's arguments that there may be an increased risk to this witness should he travel to Arusha to give his testimony. However, the Chamber also bears in mind that the Defence wishes to confront this witness in person and indeed has the right to confront his accuser. For its part, the Chamber is also concerned as to whether or not it is possible to effectively and accurately assess the testimony and demeanour of a witness who is testifying via video-link. In light of the stated importance of this witness to the Prosecution's case, the Chamber wishes to hear this witness uninterrupted and in person.

33. The Chamber emphasizes that it is a general principle, articulated in Rule 90(A), that "witnesses shall, in principle, be heard directly by the Chambers". As stated in the *Tadić* Decision re Video-Link, "the evidentiary value of testimony provided by video-link ... is not as weighty as testimony given in the courtroom. Hearing of witnesses by video-link should therefore be avoided as far as possible."²² The Chamber also notes that, as articulated in the *Bagosora* Decision re Video-Link, "the testimony of witnesses heard through electronic media runs the risk of being less weighty than that of in-court testimony if the quality of the transmission impairs the Chamber's assessment of the witness."²³ Given the Chamber's desire to prevent poor transmission impairing the testimony of such an important witness, the Chamber is of the opinion that it will benefit from the physical presence of the witness at trial.

34. Consequently, the Chamber finds that it is in the interests of justice to order that all the necessary arrangements to be made for the testimony of Witness ADE to be heard in The Hague, with all parties present, at a date to be determined by the Tribunal, pursuant to Rule 4.

F. MOTION FOR ADJUDICATION

35. The Defence, in its Motion for Adjudication, asks the Chamber to rule on all pending motions before it. As the Chamber has addressed all outstanding motions regarding Witness ADE, there is no need to address this motion.

FOR THE ABOVE REASONS, THE CHAMBER

I. **DENIES** the Motion for Withdrawal of Protection;

II. **DENIES** the Motion for Sanctions and **DIRECTS** the Registrar to reclassify the Defence Motion for Disclosure as confidential;

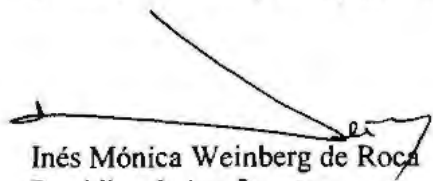
Witnesses IMG, ISG, and BJK1 by Video-Link (TC), 4 February 2004, para. 4; *The Prosecutor v. Théoneste Bagosora et al.*, Decision on Testimony by Video-Conference (TC), 20 December 2004. Video-conference testimony may also be authorized for witness protection purposes: see *The Prosecutor v. Théoneste Bagosora et al.*, Decision on Prosecution Motion for Special Protective Measures for Witnesses A and BY (TC), 3 October 2003; Decision on the Prosecution Motion for Special Protective Measures for Witness "A" Pursuant to Rules 66(C), 69 (A) and 75 of the Rules of Procedure and Evidence (TC), 5 June 2002; *The Prosecutor v. Ferdinand Nahimana et al.*, Decision on the Prosecutor's Application to Add Witness X to Its List of Witnesses and for Protective Measures (TC), 14 September 2001.

²² *Tadić* Decision re Video-Link, para. 21.

²³ *Bagosora* Decision re Video-Link, para.15.

- III. **GRANTS** in part the Defence Motion for Disclosure, and **ORDERS** the Prosecutor to disclose to the Defence the total amount of all payments and benefits referred to above, in a certified form;
- IV. **DENIES** the Prosecutor's Video-Link Motion;
- V. **REQUESTS** pursuant to Rule 4 the President of the Tribunal to authorize the Chamber to sit in The Hague, at a date to be determined in consultation with the Parties and the Registry, in order to hear the testimony of Witness ADE.

Arusha, 31 January 2006, done in English.


Inés Mónica Weinberg de Roca
Presiding Judge


Khalida Rachid Khan
Judge


Lee Gacuiga Muthoga
Judge

[Seal of the Tribunal]

