

ICTR-01-74-T
25-04-2006
(7359-7357)

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UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

TRIAL CHAMBER I

Before: Judge Erik Møse
Judge Sergei Alekseevich Egorov
Judge Florence Rita Arrey

Registrar: Adama Dieng

Date: 25 April 2006

THE PROSECUTOR

v.

François KARERA

Case No. : ICTR-01-74-T

2006 APR 25 P 4: 04
ICTR

**DECISION ON MOTION FOR FURTHER PARTICULARS OF DEFENCE
WITNESSES AND FOR CONTINUANCE OF TRIAL**

The Prosecution

Charles Adeogun-Phillips
Memory Maposa
Peter Tafah
Florida Kabasinga

The Defence

Carmelle Marchessault
Peter Kelliher
Alexandre Bergevin
Rita Francis

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

SITTING as Trial Chamber I, composed of Judge Erik Møse, presiding, Judge Sergei Alekseevich Egorov, and Judge Florence Rita Arrey;

BEING SEIZED OF the Prosecution “Motion for Continuance of Trial Session, Pursuant to Rule 73 (A)”, filed on 24 April 2006;

HEREBY DECIDES the motion.

INTRODUCTION

1. On 18 April 2006, the Prosecution filed a motion for disclosure of further and better particulars of Defence witnesses. The Chamber was informed that the Defence would follow up this motion. The Prosecution has now filed a new motion indicating that although on 21 April 2006 it received from the Defence further particulars of 18 witnesses, the information does not contain all the identifying details of the witnesses. In particular, the Prosecution requests the parentage and precise information concerning the birthplace and residence in 1994 of each witness.

DELIBERATIONS

2. The Chamber has examined the information provided by the Defence. It is correct, as argued by the Prosecution, that some relevant information is missing. The parentage of all 18 witnesses in Annexure A to the motion is missing. In addition, with respect to some witnesses, information is lacking concerning the sector, cellule, commune, and prefecture of their birthplace and/or whereabouts in 1994.

3. Previously, in its Decision on Motion for Further Alibi Particulars, dated 7 March 2006, the Chamber stated clearly which identifying details the Defence must provide in order to comply with the Rules of Procedure and Evidence. Consequently, the Chamber orders the Defence to provide these details with relation to all its witnesses.

4. The Chamber cannot see the basis for granting a continuance of the proceedings.

FOR THE ABOVE REASONS, THE CHAMBER

GRANTS the Prosecution motion insofar as it requests further particulars of Defence witnesses.

ORDERS the Defence to provide all the identifying information of Defence witnesses in accordance with the guidance in its decision of 7 March 2006.

REJECTS the Prosecution request for continuance of the trial session.


Arusha, 25 April 2006



Erik Møse
Presiding Judge



Sergei Alekseevich Egorov
Judge



Florence Rita Arrey
Judge

[Seal of the Tribunal]

