



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

ICTR-98-41-T  
29-08-2006  
(29219-29218)

29219  
S. Muna

TRIAL CHAMBER I

**Before:** Judge Erik Møse, presiding  
Judge Jai Ram Reddy  
Judge Sergei Alekseevich Egorov

**Registrar:** Adama Dieng

**Date:** 29 August 2006

JUDICIAL RECORDS/ARCHIVES  
2006 AUG 29 12:18  
UNICTR

THE PROSECUTOR

v.

Théoneste BAGOSORA  
Gratien KABILIGI  
Aloys NTABAKUZE  
Anatole NSENGIYUMVA

Case No. : ICTR-98-41-T

DECISION ON MOTION FOR DEPOSITION OF JOSEPH SERUGENDO

**The Prosecution**

Barbara Mulvaney  
Drew White  
Christine Graham  
Rashid Rashid

**The Defence**

Raphaël Constant  
Allison Turner  
Paul Skolnik  
Frédéric Hivon  
Peter Erlinder  
André Tremblay  
Kennedy Ogetto  
Gershom Otachi Bw'Omanwa

Ch

**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

**29218**

**SITTING** as Trial Chamber I, composed of Judge Erik Møse, presiding, Judge Jai Ram Reddy, and Judge Sergei Alekseevich Egorov;

**BEING SEIZED OF** the “Anatole Nsengiyumva’s Extremely Urgent Motion for the Testimony of Mr. Joseph Serugendo Taken by Deposition”, filed on 20 July 2006;

**CONSIDERING** the Response thereto, filed by the Prosecution on 25 July 2006;

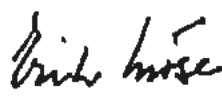
**HEREBY DECIDES** the motion.

1. The Nsengiyumva Defence requests the taking of testimony from Mr. Joseph Serugendo by deposition, pursuant to Rule 71 (A) of the Rules of Procedure and Evidence. On 22 August 2006 the Public Affairs and Information Unit of the ICTR issued a press release indicating that Mr. Serugendo, who was in the Tribunal’s custody having been convicted on 12 June 2006, had passed away while receiving treatment at the Nairobi Hospital.<sup>1</sup> Accordingly, the motion is moot.

**FOR THE ABOVE REASONS, THE CHAMBER**

**DECLARES** the motion moot.

Arusha, 29 August 2006

  
Erik Møse  
Presiding Judge

  
Jai Ram Reddy  
Judge

  
Sergei Alekseevich Egorov  
Judge

[Seal of the Tribunal]



<sup>1</sup> ICTR/INFO-9-2-488.EN, Arusha, 22 August 2006.