



UNITED NATIONS
NATIONS UNIES

ICTR-98-44-T
2-10-2006
(27813-27812)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

27813
2006

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Emile Francis Short
Gberdao Gustave Kam

Registrar: Adama Dieng

Date: 2 October 2006

JUDICIAL RECORDS/ARCHIVES
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THE PROSECUTOR

v.

Édouard KAREMERA
Mathieu NGIRUMPATSE
Joseph NZIRORERA
Case No. ICTR-98-44-T

**DECISION ON DEFENCE MOTION TO RECONSIDER SPECIAL PROTECTIVE
MEASURES GRANTED TO PROSECUTION WITNESS ADE**

Rule 73 of the Rules of Procedure and Evidence

Office of the Prosecutor:

Don Webster
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Sunkarie Ballah-Conteh
Takeh Sendze

Defence Counsel for Édouard Karemera
Dior Diagne Mbaye and Félix Sow

Defence Counsel for Mathieu Ngirumpatse
Chantal Hounkpatin and Frédéric Weyl

Defence Counsel for Joseph Nzirorera
Peter Robinson and Patrick Nimy Mayidika Ngimbi

1. The trial in this case started on 19 September 2005. On 3 May 2006, at the Prosecution's request, the Chamber granted special protective measures to Prosecution Witness ADE, including that his testimony be taken via a secure audio-video transmission link.¹ The Defence for Nzirorera now requests the Chamber to reconsider its prior Decision since the witness testified under his true name in another proceeding before this Tribunal.²

2. Since this Motion was filed, the Chamber granted the Prosecution's request to remove Witness ADE from its witness list.³ The Defence Motion has therefore become moot.

FOR THE ABOVE REASONS, THE CHAMBER

DENIES the Defence Motion.

Arusha, 2 October 2006, done in English.



Dennis C. M. Byron

Presiding Judge



Emile Francis Short

Judge



Gberdao Gustave Kam

Judge

[Seal of the Tribunal]



¹ *Prosecutor v. Edouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera*, Case No. ICTR-98-44-T (“*Karemera et al.*”), Decision on Prosecutor's Confidential Motion for Special Protective Measures for Witness ADE (TC), 3 May 2006.

² Joseph Nzirorera's Motion for Reconsideration of Decision on Prosecutor's Confidential Motion for Special Protective Measures for Witness ADE, filed on 16 August 2006; and see: Prosecutor's Response, filed on 21 August 2006.

³ *Karemera et al.*, Decision on Prosecutor's Motion to Vary its Witness List (TC), 2 October 2006.