

Tribunal pénal international pour le Rwanda



International Criminal Tribunal for Rwanda

OR: ENG

# TRIAL CHAMBER III

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

Adama Dieng **Registrar:** 

Date:

2 October 2006

THE PROSECUTOR

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## 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

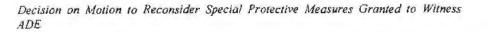
#### Office of the Prosecutor:

Don Webster Alayne Frankson-Wallace Iain Morley Saidou N'Dow 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.<sup>1</sup> 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.<sup>2</sup>

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

### FOR THE ABOVE REASONS, THE CHAMBER

**DENIES** the Defence Motion.

Arusha, 2 October 2006, done in English.

Kalic-Gberdao Gustave Kam Dennis C. M. Byron **Emile Francis Short** 

Presiding Judge

Judge

Judge

2 October



Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Jaseph Neirorera, Cise No. ICTR-98-44-T 2/3

<sup>&</sup>lt;sup>1</sup> 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.

<sup>&</sup>lt;sup>2</sup> 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: Prosocutor's Response, filed on 21 August 2006.

<sup>&</sup>lt;sup>3</sup> Kavemera et al., Decision on Prosecutor's Motion to Vary its Witness List (TC), 2 October 2006.