

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

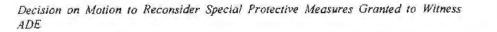
Office of the Prosecutor:

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.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.

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

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: Prosocutor's Response, filed on 21 August 2006.

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