

Tribunal pénal international pour le Rwanda 1C1R-98-41-1 18-10-2006

(31091-31090)

International Criminal Tribunal for Rwanda

ORIGINAL: ENGLISH

#### TRIAL CHAMBER 1

Before:

Judge Erik Møse, presiding

Judge Jai Ram Reddy

Judge Sergei Alekseevich Egorov

Registrar:

Adama Dieng

Date:

18 October 2006

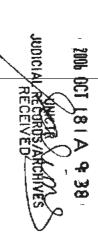
THE PROSECUTOR

٧.

Théoneste BAGOSORA **Gratien KABILIGI** Aloys NTABAKUZE

Anatole NSENGIYUMVA

Case No. : ICTR-98-41-T



# DECISION ON REQUESTS TO HEAR TESTIMONY IN CLOSED SESSION

The Prosecution

Barbara Mulvaney Drew White Christine Graham Rashid Rashid Gregory Townsend The Defence

Raphaël Constant Allison Turner Paul Skolnik Frédéric Hivon Peter Erlinder André Tremblay Kennedy Ogetto

Gershom Otachi Bw'Omanwa

# 31090

## THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

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

BEING SEIZED OF the "Motion to Request the Hearing of the Testimony of Witnesses LX-1 and ALL-42 To Take Place in Closed Session", etc., and the "Motion to Request (1) the Hearing of the Entire Testimony of Witnesses LCH-01 and LAX-02 to Take Place in Closed Session", etc., filed by the Kabiligi Defence on 22 September and 2 October 2006;

### **HEREBY DECIDES** the motion.

- Requests to hear the testimony of a witness in closed session are customarily heard and decided orally at the beginning of a witness's appearance. This procedure enjoys the advantage of permitting the witness to be questioned by the Chamber as to the nature of their security concerns. The Chamber considers this to be an appropriate procedure and will, accordingly, defer any decision on whether to hear the testimony of Witness ALL-42 and Witness LAX-02 entirely in closed session until such time as the witness appears in court to give testimony.
- The requests concerning Witness LX-1 and Witness LCH-01 are moot, having been granted by the Chamber orally on 3 October 2006.<sup>2</sup>

## FOR THE ABOVE REASONS, THE CHAMBER

**DENIES** the motion.

Arusha, 18 October 2006

Erik Møse

Presiding Judge

Jai Ram Reddy Judge 🛉 🖍

[Seal of the Tribunal]

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Sergei Alekseevich Egorov Judge

Eg. T. 3 October pp. 15-18 (Witness LCH-1), 46-50 (Witness LX-1).