



UNITED NATIONS
NATIONS UNIES

**International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda**

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Gberdao Gustave Kam
Vagn Joensen

Registrar: Adama Dieng

Date: 5 December 2007

THE PROSECUTOR

v.

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

**ORAL DECISION ON THE PROSECUTOR'S MOTION FOR ADMISSION
OF CERTAIN EXHIBITS INTO EVIDENCE**

Rule 89(C) of the Rules of Procedure and Evidence

Office of the Prosecutor:
Don Webster
Alayne Frankson-Wallace
Iain Morley
Saidou N'Dow
Gerda Visser
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

T. 5 December 2007, p. 19 (line 34) – p. 20 (line 28):

JUDGE JOENSEN:

...[Our] ruling is as follows: On 26 November 2007, the Prosecution filed a motion moving the Chamber to admit into evidence, pursuant to Rule 89(C) of the Rules of Procedure and Evidence, 143 exhibits listed in Annex A, B and C to the motion. The Defence of each Accused opposes the motion to various degrees and on various grounds. The Chamber grants the motion in part.

The Chamber will now communicate the conclusion of its decision, apart from a few documents that needs further consideration and will in due course deliver its written decision on the motion.

Annex A: Document number 2, 3 and 4 are admitted. As to number 5, the Chamber reserves its ruling for the written decision. Number 7 is rejected as moot. As to number 8, the Chamber reserves its ruling for the written decision. Number 11, 12, 16, 17 and 18 are admitted. Number 19 is rejected. Number 22, 25, 29, 33, 34 and 37 are admitted. Number 45 is rejected. Number 58, 63, 66, 72, 73, 74, 75, 76 and 82 are admitted. Number 84 is rejected as moot. Number 87, 89, 90 and 94 are admitted. Number 95 is rejected. Number 103, 114, 115, 116, 117, 118 and 119 are admitted.

Photographs under number 122, 129, 140, 143, 145 and 146 are rejected. As to broadcasts from RTLM/Radio Rwanda, under number 151, 152, 153, 154, 157, 158, 160, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 174, 175, 180, 181, 182, 184, 187, 191, 196 and 197, the exhibits are admitted in their entirety for context, but the Prosecution is ordered to highlight the relevant portions of the transcripts within two weeks as from today. Maps under number 223 and 226 are rejected. Number 227 is admitted. Number 234 and 236 are rejected. Number 238, 239, 248, 250, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268 and 276 are admitted.

Annex B: Number 1 is admitted. As to number 2, the summary of Édouard

Karemera's book is rejected, but the Chamber will admit the book in its entirety with the relevant portions highlighted to be tendered within two weeks as from today. Number 3, 4, 5, 6 and 7 are admitted. Number 8, 9, 10, 11, 12 and 13 are rejected. Number 14 is admitted. Number 15 is rejected.

Annex C: As to letter A, B, C, D, E and F, the Chamber reserves its ruling for the written decision. Letter G, H, J, K and L are admitted. Letter M and N are rejected.

And I can add that the reasons that we have reserved our ruling in relation to some documents is that we have not been able to locate them on the CD-ROMS that have been provided to us by the Prosecution, and we will request the Prosecution to provide us with hard copies of the documents.