



UNITED NATIONS
NATIONS UNIES

ICTR-01-72-T
13-12-2007
(4451-4450)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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OR: ENG

TRIAL CHAMBER III

Before Judges: Inés Mónica Weinberg de Roca, Presiding
Sitting pursuant to Rules 54 of the Rules of Procedure and Evidence

Registrar: Adama Dieng

Date: 13 December 2007

THE PROSECUTOR

v.

Simon BIKINDI

Case No. ICTR-2001-72-T

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DECISION ON DEFENCE MOTION FOR CLARIFICATION OR MODIFICATION OF RULING ON DISCLOSURE OF DEFENCE WITNESS STATEMENTS

Rules 54 and 73 ter of the Rules of Procedure and Evidence

Office of the Prosecutor:

William T. Egbe
Sulaiman Khan
Veronic Wright
Patrick Gabaake
Iain Morley
Amina Ibrahim
Gilain Disengi Mugeyo

Defence Counsel:

Andreas O'Shea
Jean de Dieu Momo

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INTRODUCTION

1. Following the filed list of proposed Defence witness, this Chamber issued a decision on 2 August 2007 ordering the Defence to "disclose to the Prosecution non-redacted witness statements and identifying information of all the witnesses to be called twenty-one (21) days before the beginning of the Defence case".¹
2. On 24 August 2007, the Defence filed a motion requesting that the Chamber clarify or modify its Decision concerning the disclosure of witness statements (the "Motion").² On 29 August 2007, the Prosecution filed a response, opposing the Motion.³
3. On 3 September 2007, the Defence disclosed in an un-redacted form summaries of the expected testimony of its witness to the Prosecution.⁴

DISCUSSION

4. The Chamber finds that on 3 September 2007, the Defence complied with the Order of 2 August 2007 by disclosing complete summaries of the expected testimony of its witnesses to the Prosecution.

FOR THE ABOVE REASONS, THE CHAMBER

SITTING as Trial Chamber III, composed of Judge Inés Mónica Weinberg de Roca, Presiding Judge, pursuant to Rule 54 of the *Rules of Procedure and Evidence*;

DECLARES the Motion to be moot.

Arusha, 13 December 2007, in English.

Inés Mónica Weinberg de Roca

Presiding Judge



¹ Decision on the Defence Motion to File Proposed List of Witnesses and Statements of Agreed and Contested Matters of Facts and Law, 2 August 2007.

² Motion for Clarification or Modification of Ruling on Disclosure of Defence Witness Statements, 24 August 2007.

³ The Prosecutor's Response to Defence Motion For Clarification or Modification of Ruling on Disclosure of Defence Witness Statements, 29 August 2007

⁴ Confidential Amended and Un-Redacted Witness List, 3 September 2007.