



UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

ICTR-98-44-T
3-2-2009
(44699 - 44698)
44699
2009
f

OR: ENG

TRIAL CHAMBER III

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

Registrar: Adama Dieng

Date: 3 February 2009

JUDICIAL RECORDS/ARCHIVES
RECEIVED

2009 FEB -3 P 4:45
K. J. K. K.

THE PROSECUTION

v.

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

ORDER FOR THE PROSECUTION TO FILE WRITTEN SUBMISSIONS

Rules 54 and 68(D) of the Rules of Procedure and Evidence

Office of the Prosecution:
Don Webster
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

28

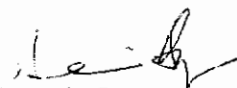
1. The Chamber is seized of a Prosecution application seeking, pursuant to Rule 68(D) of the Rules of Procedure and Evidence, to be relieved of the obligation to disclose to the defense the identifying information of certain witnesses whose un-redacted statements have been provided to the Chamber ("Application").¹ The Prosecution has not, however, provided submissions in support of the Application, but rather seeks to be heard *in camera*.

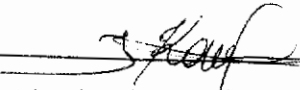
2. Given that the Application concerns eleven witnesses and attaches 85 pages of material, the Chamber considers that it would be better placed to efficiently assess the merits of the Application if the Prosecution's submissions were received in writing. Pursuant to Rule 68(D), the Prosecution's submissions should be made *ex parte*.


FOR THE ABOVE REASONS, THE CHAMBER

HEREBY ORDERS the Prosecution to file by Tuesday, 10 February 2009, *ex parte* written submissions with the Registry in support of the Application.

Ausha, 3 February 2009, done in English.


Dennis C. M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

[Seal of the Tribunal]



¹ *Ex parte* Application to withhold identifying information from disclosure, filed 20 October 2008.