



UNITED NATIONS
NATIONS UNIES

ICTR-97-36A-I
25-05-2009 890
(890 - 888) 1044
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER I

Before Judges: Florence Rita Arrey, Presiding
Mparany Mamy Richard Rajohnson
Aydin Sefa Akay

Registrar: Adama Dieng

Date: 25 May 2009

THE PROSECUTOR

v.

Yussuf MUNYAKAZI

Case No. ICTR-97-36A-I

JUDICIAL RECORDS/ARCHIVE
2009 MAY 25 P.12:07

DECISION ON PROSECUTOR'S MOTION TO VARY ITS WITNESS LIST

Rule 73 bis(E) of the Rules of Procedure and Evidence

Office of the Prosecutor:

Richard Karegyesa
Segun Jegede
Didace Nyirinkwaya

Counsel for the Defence

Jwani Mwaikusa
Barnabé Nekuie

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1. The trial in this case commenced on 22 April 2009. On 20 May 2009, the Prosecutor filed a motion to vary its witness list, pursuant to Rule 73bis(E) of the Rules of Procedure and Evidence (RPE hereinafter).¹
2. The Prosecutor moves the Chamber to grant leave to remove 6 witnesses (BWY, GGO, LAI, LAM, LBI and NL) from its witness list and dispense with their appearance at trial, pursuant to Rule 73bis(E).
3. Furthermore, on 28 April 2009, the Prosecution orally moved the Chamber to withdraw Witness BXA pursuant to Rule 73bis(E).²
4. The Chamber notes that, the Defence submitted that it will not file any response to the present motion.
5. In the Chamber's view, the removal of 7 witnesses from the Prosecution list, leaving four witnesses (BWU, BWW, LAR and LI) on the prosecution's list before it finishes the presentation of its case, will contribute to expedite the proceedings and is therefore in the interests of justice, judicial economy and for the proper conduct of the trial, while not infringing in any way the rights of the Accused.

¹ Motion to Vary List of Prosecution Witnesses pursuant to Rule 73 bis (E) of the Rules of Procedure and Evidence, filed on 20 May 2009.

² T. 28 April 2009 p. 43.

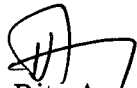
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ACCORDINGLY, THE CHAMBER

- I. **GRANTS** the Prosecution Motion to remove witnesses known by the pseudonyms BWY, BXA, GGO, LAI, LAM, LBI and NL;
- II. **ORDERS** the deletion of said witnesses from the Prosecutor's list of witnesses;
- III. **ORDERS** the Prosecutor to file his order of appearance for the examination-in-chief of each of his remaining witnesses (BWU, LAR and LI) as soon as possible and in any case not later than 27 May 2009; and

Arusha, 25 May 2009, done in English.



Florence Rita Arrey

Presiding Judge



Mparany Rajohnson

Judge



Aydin Akay

Judge

[Seal of the Tribunal]

