



UNITED NATIONS
NATIONS UNIES

ICTR-98-44-T
17-9-2009
(47897 - 47896)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

47897
Dumf

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Gberdao Gustave Kam
Vagn Joensen
Registrar: Adama Dieng
Date: 17 September 2009

JUDICIAL RECORDS ARCHIVER
RECEIVED

2009 SEP 17 P 4:43

[Handwritten signature]

THE PROSECUTOR

v.

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

ORDER REGARDING TRANSFER OF DEFENCE WITNESSES FROM MALI

Rules 90bis and 54 of the Rules of Procedure and Evidence

Office of the Prosecution:
Don Webster
Saidou N'Dow
Arif Virani
Eric Husketh
Sunkarie Ballah-Conteh
Takeh Sendze

Defence Counsel for Édouard Karemera
Dior Diagne Mbaye and Félix Sow

Defence Counsel for Matthieu Ngirumpatse
Chantal Hounkpatin and Frédéric Weyl

Defence Counsel for Joseph Nzirorera
Peter Robinson and Patrick Nimy Mayidika Ngimbi

[Handwritten mark]

47896


1. On 7 May 2009, Joseph Nzirorera requested an order for the temporary transfer from Mali of four of his witnesses to the Detention Facility of the Tribunal in Arusha for the purpose of testifying before the Chamber.¹ On 23 June 2009, the proceedings were stayed by the Chamber.² On 10 September 2009, the Chamber ordered the proceedings to resume on 19 October 2009, and requested that Nzirorera file submissions indicating the new dates on which these witnesses will be required.³

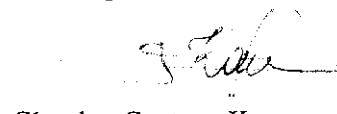
2. Joseph Nzirorera has informed the Court Management Section that he does not intend to call the witnesses who are the subject of the Motion in the upcoming trial session but will rather file submissions concerning these witnesses at a later date. The Chamber therefore finds that the Motion should be dismissed, without prejudice to Nzirorera to re-file a request for the transfer of these witnesses at a later date.

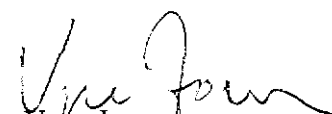
FOR THESE REASONS, THE CHAMBER

DISMISSES Joseph Nzirorera's Motion in its entirety, without prejudice to Joseph Nzirorera to re-file the Motion at a later date.

Arusha, 17 September 2009, done in English.


Dennis C. M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

[Seal of the Tribunal]



¹ Joseph Nzirorera's Motion for Order to Transfer Witnesses from Mali, 7 May 2009 ("Motion").

² *Prosecutor v. Édouard Karemera, Mathieu Ndirumpatse, Joseph Nzirorera*, Case No. ICTR-98-44-T ("Karemera et al."), Order Concerning Medical Examination of Mathieu Ndirumpatse, 23 June 2009.

³ *Karemera et al.*, Decision on Remand Regarding Continuation of Trial, 10 September 2009, para. 31.