



UNITED NATIONS
NATIONS UNIES

ICTR-98-44-T
15-10-2009
(48373 - 48371)

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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: 15 October 2009

JUDICIAL RECORDS ARCHIVE
2009 OCT 15 1 P 2: 55
K. M. K. K.

THE PROSECUTOR

v.

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

**DECISION ON JOSEPH NZIRORERA'S MOTION FOR A FURTHER EXTENSION
OF TIME TO SUBMIT CERTIFICATES OF ADMISSIBLE WRITTEN
STATEMENTS**

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

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INTRODUCTION

1. On 15 July 2009, this Chamber declared admissible, pursuant to Rule 92 *bis* of the rules of Procedure and Evidence, 60 written statements subject to the disclosure of the identifying information of their authors and to their certification.¹ The Chamber also granted the Prosecution the right to cross-examine the authors of 16 of the admissible statements.²
2. In a motion filed on 1 October 2009, Joseph Nzirorera requested that the Chamber grant an extension of time until 15 November 2009 for the filing of certifications from witnesses Protais Rukeramingo and Marcel Gakwisi. The Prosecution has not responded.

DELIBERATIONS

3. The Chamber notes that the investigator for Joseph Nzirorera advised that the two witnesses no longer reside at their previous address. Therefore, the investigator could not locate the witnesses within the time that the representative of the Registrar was present in Rwanda on two occasions to obtain certification of statements.
4. The Chamber further notes that Joseph Nzirorera is undertaking efforts to locate the witnesses and that the Prosecution did not object to the request.
5. Therefore, the Chamber considers that because the extension of time will not cause undue delay to the proceedings it is appropriate under these circumstances.

¹ *The Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera*, Case No. ICTR-98-4-T (“*Karemera et al.*”), *Decision on Joseph Nzirorera's Motions for Admission of Written Statements and Witness Testimony*, 15 July 2009 (“*Decision on Nzirorera's Motions pursuant to Rule 92 bis*”).


² *Karemera et al.*, *Decision on Nzirorera's Motions pursuant to Rule 92 bis*.

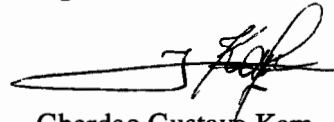
FOR THESE REASONS, THE CHAMBER

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GRANTS Joseph Nzirorera's request for an extension of time to obtain and submit certifications from witnesses Protais Rukeramingo and Marcel Gakwisi by 15 November 2009.

Arusha, 15 October 2009, done in English.


Dennis C. M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

