



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

3230/H

A

ICTR-98-44-AR73.17
21st October 2009
{3230/H – 3229/H}

IN THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge Fausto Pocar
Judge Liu Daqun
Judge Theodor Meron
Judge Carmel Agius

Registrar: Mr. Adama Dieng

Decision of: 21 October 2009

ICTR Appeals Chamber
Date: 21st October 2009
Action: *h. Jura*
Copied To: Concerned Judges,

*Parties, Judicial Archives,
Lg LSS [Signature]*

Édouard KAREMERA
Matthieu NGIRUMPATSE
Joseph NZIRORERA

v.

THE PROSECUTOR

Case No. ICTR-98-44-AR73.17

**DECISION ON JOSEPH NZIRORERA'S MOTION FOR ORDER TO
COMPEL COMPLIANCE WITH APPEALS CHAMBER DECISION**

Counsel for the Defence

Ms. Dior Diagne Mbaye and Mr. Félix Sow for
Mr. Édouard Karemera

Ms. Chantal Hounkpatin and Mr. Frédéric Weyl
for Mr. Matthieu Ngirumpatse

Mr. Peter Robinson and Mr. Patrick Nimy
Mayidika Ngimbi for Mr. Joseph Nzirorera

Counsel for the Prosecution

Mr. Hassan Bubacar Jallow

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIÉ VRAI ET CONFORME À L'ORIGINAL SOUScrit BY ME
COPIE CERTIFIÉE VRAI ET CONFORME À L'ORIGINAL PAR MRS
NAME / NOM: *KAREMERA, MATTHIEU NGIRUMPATSE, JOSEPH NZIRORERA*
SIGNATURE: *[Signature]* DATE: *21 Oct. 2009*

THE APPEALS CHAMBER of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994 (“Appeals Chamber” and “Tribunal”, respectively),

BEING SEISED OF “Joseph Nzirorera’s Motion for Order to Compel Compliance with Appeals Chamber Decision” filed on 25 September 2009 (“Applicant” and “Motion”, respectively), in which the Applicant requests the Appeals Chamber to order Trial Chamber III to decide on his “Motion to Admit the Testimony of Elizaphan Ntakirutimana”, filed on 18 August 2008 (“Motion of 18 August 2008”);¹

NOTING that the Prosecution has not filed a response to the Motion;

NOTING the “Decision on Joseph Nzirorera’s Appeal of Decision on Admission of Evidence Rebutting Adjudicated Facts”, issued by the Appeals Chamber on 29 May 2009;

CONSIDERING that the Motion of 18 August 2008 has been disposed of by the “Decision on Remand Following Appeal Chamber’s Decision of 29 May 2009”, issued by Trial Chamber III on 2 October 2009;

FINDING therefore that the Motion is moot;

FOR THE FOREGOING REASONS,

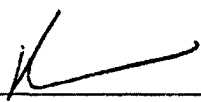
DISMISSES the Motion.

Done in French and English, the English text being authoritative.

Done this 21th day of October 2009,
at The Hague,
The Netherlands.



[Seal of the Tribunal]



Judge Patrick Robinson
Presiding

¹ Motion, para. 5.
Case No. ICTR-98-44-AR73.17