



INTERNATIONAL  
KARIBONZI

ICTR-00-STC-7  
15-03-2011  
(5538-5536)  
International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

5538  
WAN

OR: ENG

**TRIAL CHAMBER III**

**Before Judges:** Lee Gacuga Muthoga, *Presiding*  
Seon Ki Park  
Robert Fremr

**Registrar:** Adama Dieng

**Date:** 15 March 2011

**THE PROSECUTOR**

v.

**Ildéphonse NIZEYIMANA**

**CASE NO. ICTR-00-55C-T**

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**ORDER REGARDING URGENT NIZEYIMANA DEFENCE MOTION FOR  
- CLARIFICATION  
Rules 54 and 73 of the Rules of Procedure and Evidence**

**Office of the Prosecution:**  
Drew White  
Kirsten Gray  
Yasmine Chubin  
Zahida Virani

**Defence Counsel for Ildéphonse Nizeyimana:**  
John Philpot  
Cainnech Lussiaâ-Berdou  
Myriam Bouazdi

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**THE TRIAL 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 and 31 December 1994;

**NOTING** the “Urgent Nizeyimana Defence Motion for Clarification”, filed confidentially on 11 March 2011 (“Motion”) by the Defence team of the Accused, Ildéphonse Nizeyimana, (“Defence”);<sup>1</sup>

**NOTING** that some Defence concerns would be allayed by a careful reading of the “Decision on Defence Urgent Motion for Protective Measures for Defence Witnesses”, filed on 9 March 2011, as footnote 24 addresses the issue of whether to distinguish between “full” and “standard” witness protection requests;<sup>2</sup>

**NOTING** that the Defence submits that it intends to provide all identifying information regarding its witnesses in its pre-trial brief on 28 March 2011;<sup>3</sup>

**NOTING** that the Defence requests clarification regarding the timing for the provision of the list of witnesses and the information to be contained therein;<sup>4</sup>

**PURSUANT** to Rules 54 and 73 of the Rules of Procedure and Evidence of the Tribunal;

<sup>1</sup> The Chamber issues this order without waiting for a response due to the urgency of the matter and the lack of prejudice to the Office of the Prosecutor (“Prosecution”).

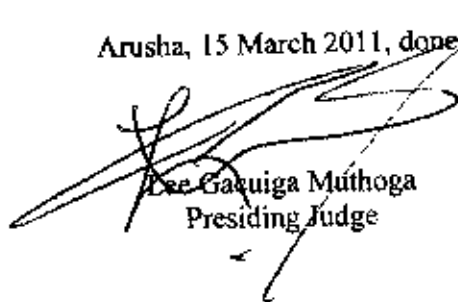
<sup>2</sup> Motion, paras. 8-10.

<sup>3</sup> Motion, paras. 5-6.

<sup>4</sup> Motion, paras. 3-4, 7.

**HEREBY INFORMS** the Defence that it should provide the Prosecution with the relevant list of witnesses within two days of this Order. This list should contain the same information as was disclosed to the Defence by the Prosecution at the equivalent stage of proceedings.<sup>5</sup>


Arusha, 15 March 2011, done in English.



Geaga Muthoga  
Presiding Judge



Seon Ki Park  
Judge



Robert Fremr  
Judge

[Seal of the Tribunal]



<sup>5</sup> See Decision on Prosecutor's Third Motion for Protective Measures for the Victims and Witnesses to Crimes Alleged in the Indictment, 4 November 2010, pp. 4-6.