



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

3599/H
RUM

ICTR-98-41-A
24th March 2011
{3599/H – 3598/H}

IN THE APPEALS CHAMBER

Before: Judge Mehmet Güney, Pre-Appeal Judge
Registrar: Mr. Adama Dieng
Decision of: 24 March 2011

ICTR Appeals Chamber
Date: 24 March 2011
Action:
Copied To: Concerned Judges,
Parties, Judicial Archives,
HOs, LSS
RUM

Théoneste BAGOSORA
Aloys NTABAKUZE
Anatole NSENGIYUMVA
v.
THE PROSECUTOR

Case No. ICTR-98-41-A

DECISION ON REQUEST FOR RIGHT OF AUDIENCE

Counsel for Marcel Gatsinzi
Peter Robinson

Counsel for Théoneste Bagosora
Raphaël Constant
Richard Perras

Office of the Prosecutor
Hassan Bubacar Jallow
James J. Arguin
George W. Mugwanya
Inneke Onsea
Renifa Madenga
Abubacarr Tambadou
Evelyn Kamau
William Mubiru
Aisha Kagabo
Marie Ndeye Ka

Counsel for Aloys Ntabakuze
Peter Erlinder
André Tremblay

Counsel for Anatole Nsengiyumva
Kennedy Ogetto
Gershom Otachi Bw'Omanwa

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME
COPIE CERTIFIÉE CONFORME À L'ORIGINAL PAR NOUS
NAME / NOM: KOFFI ROMÉLID A. AFANDE
SIGNATURE: *[Signature]* DATE: 24 MARCH 2011

I, Mehmet GÜNEY, Judge of 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 and 31 December 1994 (“Appeals Chamber” and “Tribunal”, respectively), and Pre-Appeal Judge in this case,

NOTING the “Decision on Théoneste Bagosora’s Motion for Admission of Additional Evidence” issued on 7 February 2011, in which the Appeals Chamber ordered Marcel Gatsinzi to be heard as a Chamber’s witness pursuant to Rules 98 and 107 of the Rules of Procedure and Evidence of the Tribunal;¹

NOTING the “Order to Summon a Witness” issued on 10 February 2011 (“10 February 2011 Order”), in which the Appeals Chamber ordered Mr. Gatsinzi to be present for an evidentiary hearing to be held on Wednesday, 30 March 2011 at 09:00 at the seat of the Tribunal in Arusha, Tanzania (“Evidentiary Hearing”);

BEING SEIZED OF the “Power of Attorney and Request for Right of Audience” filed by Mr. Gatsinzi on 23 March 2011, in which he grants power of attorney to Peter Robinson to represent him at the Evidentiary Hearing and requests that Mr. Robinson be granted right of audience to assist him during the Evidentiary Hearing (“Request”);

CONSIDERING that, in its 10 February 2011 Order, the Appeals Chamber already informed Mr. Gatsinzi that, if he so wishes, his counsel may be present during his testimony in this case;

FINDING, therefore, that the Request is moot;

FOR THE FOREGOING REASONS,

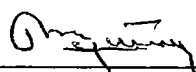
DENY the Request as moot.

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

Done this 24 day of March 2011,
At The Hague,
The Netherlands.



[Seal of the Tribunal]


Mehmet Güney
Pre-Appeal Judge

¹ Decision on Théoneste Bagosora’s Motion for Admission of Additional Evidence, 7 February 2011, para. 11.