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ICTR-00-61-A

26-05-2011

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UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR: ENG

**BEFORE THE PRESIDENT**

**Before Judge:** Dennis C. M. Byron, President

**Registrar:** Adama Dieng

**Date:** 26 May 2011

**THE PROSECUTOR**

v.

**Jean-Baptiste GATETE**

*Case No. ICTR-2000-61-A*

JUDICIAL RECORDS/ARCHIVES  
2011 MAY 26 12:25  
ICTR

**DECISION ON REQUEST TO REFER AN APPLICATION FOR DISPOSAL  
TO THE APPEALS CHAMBER**

*Rule 75 of the Rules of Procedure and Evidence*

**Office of the Prosecutor:**

Richard Karegyesa

Drew White

Adelaide Whest

Didace Nyirinkwaya

**Defence Counsel:**

Marie-Pierre Poulain

Kate Gibson

**Applicant:**

Natalie von Wistinghausen

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1. On 17 May 2011, Natalie von Wistinghausen (“Applicant”), a defence attorney acting on behalf of Onesphore Rwabukombe, moved an application under Rule 75 of the Rules of Procedure and Evidence (“Application”) seeking disclosure of documents tendered and variation of protective measures ordered during the *Gatete* trial.<sup>1</sup> The Applicant submits that Mr. Rwabukombe is facing charges before the Higher Regional Court of Frankfurt am Main in Germany for facts that sufficiently overlap with the facts for which Gatete was convicted in the Trial Judgement rendered on 31 March 2011.<sup>2</sup>
2. The Applicant requests the President to place the Application before the Appeals Chamber for disposal.<sup>3</sup>
3. The Appeals Chamber is already seised of this case.<sup>4</sup> I, therefore, request the Registry to place this Application before the Appeals Chamber for disposal.

Arusha, 26 May 2011, done in English.



Dennis C. M. Byron  
President

[Seal of the Tribunal]



<sup>1</sup> Further Application for Variation of Protective Measures and Disclosure of Documents, 17 May 2011 (“Application”).

<sup>2</sup> Application, para. 2.

<sup>3</sup> Application, p. 6.

<sup>4</sup> Order Assigning Judges to a Case Before the Appeals Chamber, 4 May 2011, p. 1.