



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

2543
MWA

ICTR-96-14
20-07-2011
(2543-2542)

OR: ENG

OFFICE OF THE PRESIDENT

Before: Judge Khalida Rachid Khan, *President*

Date: 20 July 2011

Eliézer NIYITEGEKA
v.
THE PROSECUTOR
Case No. ICTR-96-14

JUDICIAL RECORDS/ARCHIVES
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UNICTR
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[Signature]

**DESIGNATION OF A TRIAL CHAMBER TO CONSIDER ELIÉZER
NIYITEGEKA'S MOTION FOR DISCLOSURE**

Rule 68 of the Rules of Procedure and Evidence

Office of the Prosecutor:
Hassan Bubacar Jallow
Richard Karegyesa
Abdoulaye Seye
Inneke Onsea

The Applicant
Eliézer Niyitegeka

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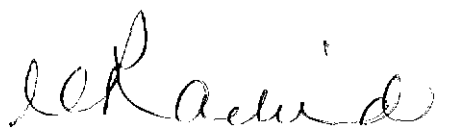
1. On 10 May 2011 the Appeals Chamber denied a Motion for disclosure pursuant to Rule 68 of the Rules of Procedure and Evidence filed by Eliézer Niyitegeka.¹ The Appeals Chamber dismissed Niyitegeka's Motion for lack of jurisdiction as Niyitegeka's case is not pending before the Appeals Chamber. The Appeals Chamber added the Niyitegeka should file the motion with the President of the Tribunal so the matter can be assigned to an appropriate Chamber. The Appeals Chamber further indicated that it does not see any reason to treat a Rule 68 application differently from a Rule 75 application when a motion is filed in a case that no Chamber is seized of.²

2. On 15 May 2011, Eliézer Niyitegeka filed his motion before the President so she appoints a Trial Chamber to rule on the issues therein.³

FOR THESE REASONS, THE PRESIDENT

DESIGNATES Trial Chamber III composed of Judge Khalida Rachid Khan, Judge Lee Gacuiga Muthoga and Judge Seon Ki Park to adjudicate on Eliézer Niyitegeka's Motion.

Arusha, 20 July 2011, done in English.


Khalida Rachid Khan
President

[Seal of the Tribunal]



¹ Eliézer Niyitegeka v. the Prosecutor, Case No. ICTR-96-14, Decision on Motion for Disclosure, 10 May 2011.

² *Ibid.*, para. 4 and especially footnote 8.

³ Requête aux fins d'une ordonnance portant communication des éléments de preuve à décharge et autres éléments pertinents, dated 15 May 2011 and filed on 18 May 2011.