



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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OR: ENG

TRIAL CHAMBER II

Before: Judge William H. Sekule, Presiding
Judge Solomy Balungi Bossa
Judge Mparany Rajohnson

ICTR-99-54-T
20-02-2012
(107462-107460)

Registrar: Mr. Adama Dieng

Date: 20 February 2012

The PROSECUTOR

v.

Augustin NGIRABATWARE

Case No. ICTR-99-54-T

JUDICIAL RECORDS / ARCHIVES
ICTR
2012 FEB 20 10 51 19
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ORDER TO REGISTRAR FOR SUBMISSIONS CONCERNING THE
FEASIBILITY OF VIDEO-LINK TESTIMONY FROM SENEGAL

Office of the Prosecutor

Mr. Wallace Kapaya
Mr. Patrick Gabaake
Mr. Rashid Rashid
Mr. Iskandar Ismail
Ms. Faria Rekkas

Defence Counsel

Ms. Mylène Dimitri
Mr. Deogratias Sebureze
Ms. Anne-Gaëlle Denier
Mr. Gregg Shankman

WHR

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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (the "Tribunal"),

SITTING as Trial Chamber II composed of Judges William H. Sekule, Presiding, Solomy Balungi Bossa, and Mparany Rajohnson (the "Chamber");

RECALLING the Chamber's "Decision on Prosecution Motion for Leave to Present Rebuttal Witnesses" of 14 November 2011, wherein the Chamber allowed the Prosecution to call eight rebuttal witnesses immediately after the close of the Defence case;¹

NOTING the "Extremely Urgent Confidential Prosecution Motion for Testimony via Video-Link for Prosecution Rebuttal Witnesses II, V, VI and VII", filed confidentially on 9 February 2012 (the "Prosecution Motion"),² which is currently under deliberation;

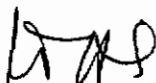
CONSIDERING that the Prosecution seeks to present the testimony of four rebuttal witnesses via video-link from Senegal during the current trial session, which is scheduled to end on 9 March 2012;³ and

CONSIDERING further that the feasibility of any such video-link testimony may be a matter, among other things, for the Chamber to take into account in resolving the Prosecution Motion;

¹ Decision on Prosecution Motion for Leave to Present Rebuttal Witnesses (TC), 14 November 2011, p. 14.

² The Chamber notes that the Prosecution filed a Corrigendum later in the day on 9 February 2012, which corrected the title of this Motion. See Corrigendum Extremely Urgent Confidential Prosecution Motion for Testimony via Video-Link for Prosecution Rebuttal Witnesses II, V VI and VII, 9 February 2012, para. 3.

³ See Prosecution Motion, paras. 5, 11. See also Prosecutor's Reply to Defence Response to the Extremely Urgent Confidential Prosecution Motion for Testimony via Video-Link for Prosecution Rebuttal Witnesses II, V, VI and VII, 15 February 2012, para. 21.



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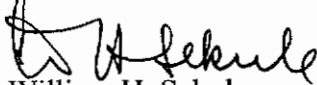
FOR THE ABOVE REASONS, THE CHAMBER

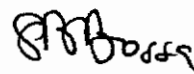
INVITES the Registrar to provide submissions under Rule 33(B) of the Rules of Procedure and Evidence on whether these witnesses could be heard via video-link from Senegal and, if so, from which location in Senegal and how much time would be needed to prepare for this;

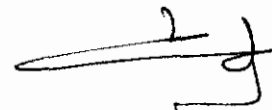
REQUESTS the Registrar to provide these submissions to the Chamber and the Parties as soon as possible and in any case within two days from the date of this Order; and

GRANTS the Parties one day from receipt of the Registrar's submissions to file their comments thereon, if they so wish.

Arusha, 20 February 2012


William H. Sekule
Presiding Judge


Solomy Balungi Bossa
Judge


Mparany Rajohnson
Judge

[Seal of the Tribunal]

