

ICTR-99-54A-T

20. 8. 2002

(1005 — 1003)

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United Nations
Nations Unies

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER II

Before: Judge William H. Sekule, Presiding
Judge Winston C. Matanzima Maqutu
Judge Arlette Ramaroson

Registrar: Adama Dieng

Date: 20 August 2002

THE PROSECUTOR
v.
JEAN DE DIEU KAMUHANDA

Case No. ICTR-99-54A-T

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**DECISION ON THE EXTREMELY URGENT MOTION TO SUMMON A WITNESS
PURSUANT TO RULE 54**

Office of the Prosecutor:

Mr. Marks Moore
Mr. Ibukunolo Alao Babajide
Ms. Dorothee Marotine

Defence Counsel:

Ms. Aïcha Condé
Ms. Patricia Mongo

Handwritten signature/initials

Prosecutor v. Jean de Dieu Kamuhanda (Case No. ICTR-99-54A-T)

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (“the Tribunal”)

SITTING AS Trial Chamber II, composed of Judge William H. Sekule, Presiding, Judge Winston C. Matanzima Maqutu and Judge Arlette Ramaroson (the “Chamber”);

BEING SEIZED OF

The Defence’s “Extremely Urgent Motion to Summon a Witness”, filed on 8 August 2002¹;

HAVING HEARD the parties’ submissions given in Court on 18 August 2002;

CONSIDERING Rule 54 of the Rules of Procedure and Evidence (the “Rules”), which states that:

At the request of either party or *proprio motu*, a Judge or a Trial Chamber may issue such orders, summonses, subpoenas, warrants and transfer orders as may be necessary for the purposes of an investigation or for the preparation or conduct of the trial.

NOTING the reasons advanced by the Defence for bringing this Motion, and having due regard to the fact that the Prosecutor expresses no objection to the granting of said Motion;

THE TRIBUNAL,

SATISFIED that sufficient reasons have been advanced by the Defence in order to justify the granting of an Order to summon Witness ALR to appear before this Chamber;

HEREBY

ORDERS, pursuant to Rule 54 of the Rules, that Witness ALR shall appear before this Chamber in order to give testimony;

INSTRUCTS the Registry to:

1. Transmit this order to the Government of Rwanda for its information;
2. Issue a Letter of Summons to Witness ALR;
3. Facilitate the transfer of Witness ALR to Arusha as a matter of priority.



¹ LCSS English translation filed 15 August 2002.

Prosecutor v. Jean de Dieu Kamuhanda (Case No. ICTR-99-54A-T)

Arusha, 20 August 2002



William H. Sekule
Presiding Judge



Winston C. Matanzima Maqutu
Judge



Arlette Ramaroson
Judge

