

(ICTR-98-44-T)  
16-10-2009  
(48422-48415)

48422  
A

THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR RWANDA

CASE No. ICTR-98-44-T

IN TRIAL CHAMBER No. 3

Before: Judge Dennis C.M. Byron, Presiding  
Judge G. Gustave Kam  
Judge Vagn Joensen

Registrar: Mr. Adama Dieng

Date Filed: 16 October 2009

THE PROSECUTOR

v.

JOSEPH NZIRORERA

*Public*

JUDICIAL PANEL OF APPELLATE  
RECEIVED

2009 OCT 16 11 A 9 03

*Joseph Nzirorera*

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JOSEPH NZIRORERA'S FINAL  
WITNESS LIST

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The Office of the Prosecutor:

Mr. Don Webster  
Mr. Saidou N'Dow  
Mr. Arit Virani

Defence Counsel:

Mr. Peter Robinson  
Mr. Patrick Nimy Mayidika Ngimbi

Counsel for Co-Accused:

Ms. Dior Diagne Mbaye and Mr. Felix Sow for Edouard Karemera  
Ms. Chantal Hounkpatin and Mr. Frederick Weyl for Mathieu Ngirumpatse

1. On 8 December 2008, Joseph Nzirorera filed his Public Redacted Witness List and a Confidential Witness List. On 10 February 2009, he filed his First Revised Public Redacted Witness List. On 9 May 2009, he filed his Second Revised Public Redacted Witness List. On 23 June 2009, he filed his Third Revised Public Redacted Witness List. On 14 August 2009, he filed his Fourth Revised Witness List.

2. At the commencement of his defence case, Mr. Nzirorera now files his final witness list.

3. Joseph Nzirorera presently intends to call the following witnesses in his case-in-chief:

*Viva Voce Witnesses (58)*

A. Ruhengeri events

- 1.
- 2.
- 3.
- 4a<sup>1</sup>
- 5a. Julius Simpakanye<sup>2</sup>
- 6.
7. Juvenal Kajelijeli
- 8.
- 9.
- 10a.<sup>3</sup>
- 11a.<sup>4</sup>
12. Reverien Uwurukundo
- 13a.
- 14.
15. Augustin Bizimungu
- 16.
- 17.
- 18.
- 19.
- 20.

<sup>1</sup> Rejected for 92 bis—proposed to move to live witness list. Motion for Subpoena pending

<sup>2</sup> Rejected for 92 bis—proposed to move to live witness list

<sup>3</sup> Rejected for 92 bis—proposed to move to live witness list. Motion for Subpoena pending

<sup>4</sup> Rejected for 92 bis—proposed to move to live witness list

21. Dick Prudence Munyeshuli

B. National events

22. Jacques Roger Booh Booh  
 22a.  
 23. Theoneste Bagosora  
 24. [deleted]  
 25. Casimir Bizimungu  
 26. Justin Mugenzi  
 27. Gratién Kabiligi  
 28. Laurent Semanza  
 29.  
 30. Georges Rutaganda  
 31. Eugene Mbarushimana  
 32. Tharcisse Renzaho  
 33. Francois Karera  
 34.  
 35.  
 36.  
 37. Paul Rusesabagina  
 38b.<sup>5</sup>  
 39. Eliezer Niyitegeka  
 40. Pauline Nyiramasuhuko  
 40a. Andre Ntagerura  
 41. Janvier Busugi  
 42. Ephrem Setako  
 43. Solange Akajeneza  
 44.  
 45.  
 46. David Biramahire  
 47.  
 48. Aurore Uwase  
 49. Flora Kalisa

C. Gisenyi events

50. [completed]  
 51. Anatole Nsengiyumva  
 52. Ferdinand Nahimana  
 53. Michel Bagaragaza  
 54a. [deleted]  
 54b. Jean-François Dupaquier<sup>6</sup>  
 54c. Felly Kimenyi<sup>7</sup>

<sup>5</sup> Rejected for 92 bis—proposed to move to live witness list

<sup>6</sup> Subject to ruling on *Motion to Admit Prior Statements of Witness ZF*

55. Augustin Ngirabatware

D. Kibuye events

56. Kim Hughes  
57. Sabin Hategekimana

E. Witnesses Under Rule 92 bis with cross-examination (15)

(i) Ruhengeri events

2. Alphonse Ntilivamunda  
3. Dominic Gatsimbanyi  
6. Pierre Ntamushobora  
19. Theogene Bamporeye

(ii) National events

28. Jerome Bicamumpaka  
30. Aloys Simba  
31. Charles Nyandwi  
32. Bernard Habyarimana  
33. Leon Habyarimana  
40. Marcel Gatsinzi  
45. Seraphin Rwabukumba  
46. Godelieve Barushwanubusa  
53. Innocent Twagiramungu  
59. Abdulmohamed Bandali

(iii) Gisenyi events

84. Hassan Ngeze

F. Witnesses rejected for 92 bis (to be Called if Permitted) (46)

(i) Ruhengeri events

4. Bonaventure Hakizimana  
7. Esperance Nyirakidedeli  
8. Antoine Mburabuze  
10. Juvenal Barayasesa  
11. Augustin Ruremesha  
13. Charles Nzabagerageza  
16. Jean Bosco Ngayumbwiko  
17. Cyprien Ntakabereho  
20. Marc Ntigura

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<sup>7</sup> Subject to ruling on *Motion to Admit Prior Statements of Witness ZF*

21. Francois Sekanze
22. Faustin Sehinda
23. Samuel Havugimana
24. Magdelena Mukamuligo
25. Andre Gihanza
26. Edison Munyatarama
27. Anastase Ntahnkiriye
29. Alexis Dukuzumuremyi

(ii) National events

34. Winnie Musabeyezu
36. Majaliwa Bizimana
37. Celestin Sezibera
38. Pierre Nsengiyumva
39. Ibrahim Nzarigezahe
41. Seraphin Twahirwa
43. Charles Bandora
47. Francois Gahigi
49. Jean Claude Seyoboka
50. Aloys Zirarushya
51. Pierre Celestin Rwigema
52. Pascal Mutuyeyezu
55. Simon Bikindi
56. Jean Baptiste Gatete
57. Jean Baptiste Nemeyabahizi
58. Thomas Kigufi
60. Jean Bosco Sezirahaga
61. Jean Berchmans Imananibishaka
62. Aloys Ntabakuze
63. Protais Zigiranyirazo
64. Francis Xavier Nzuwonemeye
65. Hormisdas Nsengimana

(iii) Gisenyi events

68. Andre Bizimana
69. Samuel Imanishimwe
70. Theophile Gakara
85. Moussa Zari Banganirubusa
89. Jean Baptiste Baligendere

(iv) Kibuye events

91. Cyprien Munyampundu

(v) Adjudicated facts

99. Mathias Gasana

G. Final Witness

58. Joseph Nzirorera

*Rule 92 bis Witnesses Not to be Heard Live*

H. Witnesses under Rule 92 bis (w/o cross examination) (66)

(i) Ruhengeri events

1. Michel Bakuzakundi  
18. Protais Rukeramihigo  
113. Witness DB11-2

(ii) National events

35. Jean Marie Vianney Higiroy  
42. Murangwa Ugiyekera  
44. Dieudonne Ndayisenga  
48. Stany Mbonyimana  
54. Barabwiriza Runyinya  
114. Agnes Ntamabyaliro  
115. Emmanuel Ndindabahizi  
116. Faustin Twagiramungu  
117. Joshua Ruzibiza  
118. Aloys Ruyenzi  
119. Witness ALL-42  
120. Witness BRA-1  
121. Witness LE-1  
122. Luc Marchal  
128. Emmanuel Nyamuhimba  
129. Witness R217  
130. Witness R223  
131. Witness R289  
132. Witness R297  
133. Witness ALPHA-1

(iii) Gisenyi events

67. Jerome Ngendahimana  
71. Jean Chrystosome Ntirugiribambe  
72. Felicien Muberuka  
73. Emmanuel Mbigtambe

- 74. Joseph Bamporineza
- 75. Ildephonse Ntatije
- 76. Jonathan Ntarugo
- 77. Anastase Abiyingoma
- 78. Gaspard Mburano
- 79. Thacien Munana
- 80. Oreste Habarurema
- 81. Jean Damascene Semanza
- 82. Faustin Gakombe
- 83. Willard Munger
- 87. Alphonse Nzungize
- 88. Alphonse Higaniro
- 89a. Come Bizimungu
- 126. Witness LIG-1
- 127. Witness BDR-1

(iv) Kibuye events

- 90. Clement Kayishema
- 92. Donatille Niyitegeka

(v) Adjudicated facts

- 93. Shadrack Sendugu
- 94. Shadrack Nikobasanzwe
- 95. Francois Xavier Mvuyekure
- 96. Manayeri Nkudabakura
- 97. Francois Rwabukumba
- 98. Antoine Rutikanga
- 100. Evariste Micoyabagabo
- 101. Evariste Munyabarambe
- 102. Marcel Gakwisi
- 103. Callixte Bitegwamaso
- 104. Jean Nsanzumuhire
- 105. Amadin Mboniyintwali
- 106. Father Litric Danko
- 107. Enos Kagaba
- 108. Bizimungu, Omar
- 109. Hashim Uwayisaba
- 110. Manasseh Gakwerere
- 111. Fulgence Rukerikibaye
- 112. Jean Baptiste Kayihura
- 123. Witness JK-27
- 124. Gerard Ntakirutimana
- 125. Alfred Musema

## I. Witnesses Proposed for 92 bis (7)

14. Haruna Manizabayo  
86. Augustin Nzabonimana

04

10

11 Claire Nyirabutsitsi

140. Aloys Simpunga

141. Gerald Kayumba

## J. Witnesses Previously Admitted Under 92 bis (5)

134. Elizaphan Ntakirutimana

135. Augustin Karara

136. Bonaventure Ubalijoro

137. Raphael Bikumbi

138. Witness WFP1

*Witnesses Already Heard*

## K. Witnesses Previously Testified (2)

50. Leon Mugesera

139. Jean Baptiste Butera

4. In the event that the severance of Mathieu Ngirumpatse is re-established, Mr. Nzirorera will submit an additional list of approximately 35 witnesses, including Mr. Ngirumpatse, who he would intend to call to rebut the prosecution's evidence concerning Mr. Ngirumpatse or whom he was relying on the Ngirumpatse team to call as part of a common defence.

Respectfully submitted,



PETER ROBINSON

Lead Counsel for Joseph Nzirorera





# TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

**COURT MANAGEMENT SECTION**  
(Art. 27 of the Directive for the Registry)

## I - GENERAL INFORMATION (To be completed by the Chambers / Filing Party)

<b>To:</b>	<input type="checkbox"/> Trial Chamber I N. M. Diallo	<input type="checkbox"/> Trial Chamber II R. N. Kouambo	<input checked="" type="checkbox"/> Trial Chamber III C. K. Hometowu	<input type="checkbox"/> Trial Chamber III A. N'Gum
	<input type="checkbox"/> Chief, CMS J.-P. Fomété	<input type="checkbox"/> Appeals Chamber / Arusha Chamber II F. A. Talon		<input type="checkbox"/> Appeals Chamber / The Hague K. K. A. Afande R. Muzigo-Morrison
<b>From:</b>	<input type="checkbox"/> Chamber  (names)	<input checked="" type="checkbox"/> Defence <b>Peter Robinson</b> (names)	<input type="checkbox"/> Prosecutor's Office  (names)	<input type="checkbox"/> Other:  (names)
<b>Case Name:</b>	The Prosecutor vs. <b>Joseph Nzirorera</b>		<b>Case Number:</b> ICTR-98-44-T	
<b>Dates:</b>	Transmitted: <b>15 October 2009</b>		Document's date: <b>16 October 2009</b>	
<b>No. of Pages:</b>	<b>8</b>	<b>Original Language:</b>	<input checked="" type="checkbox"/> English	<input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda
<b>Title of Document:</b>	<b>JOSEPH NZIRORERA'S FINAL WITNESS LIST</b>			
<b>Classification Level:</b>		<b>TRIM Document Type:</b>		
<input type="checkbox"/> Ex Parte		<input type="checkbox"/> Indictment	<input type="checkbox"/> Warrant	<input type="checkbox"/> Correspondence
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<input type="checkbox"/> Confidential		<input type="checkbox"/> Disclosure	<input type="checkbox"/> Order	<input type="checkbox"/> Appeal Book
<input checked="" type="checkbox"/> Public		<input type="checkbox"/> Judgement	<input type="checkbox"/> Motion	<input type="checkbox"/> Book of Authorities
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		<input type="checkbox"/> Accused particulars		

## II - TRANSLATION STATUS ON THE FILING DATE (To be completed by the Chambers / Filing Party)

**CMS SHALL** take necessary action regarding translation.

Filing Party hereby submits only the original, and **will not submit** any translated version.

Reference material is provided in annex to facilitate translation.

Target Language(s):

English  French  Kinyarwanda

**CMS SHALL NOT** take any action regarding translation.

Filing Party hereby submits **BOTH the original and the translated version** for filing, as follows:

Original	in	<input checked="" type="checkbox"/> English	<input type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda
Translation	in	<input type="checkbox"/> English	<input type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda

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## III - TRANSLATION PRIORITISATION (For Official use ONLY)

<input type="checkbox"/> Top priority	<b>COMMENTS</b>	<input type="checkbox"/> Required date:
<input type="checkbox"/> Urgent		<input type="checkbox"/> Hearing date:
<input type="checkbox"/> Normal		<input type="checkbox"/> Other deadlines: