

ICTR-97-34-DP
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Case no : ICTR-97-34-DP



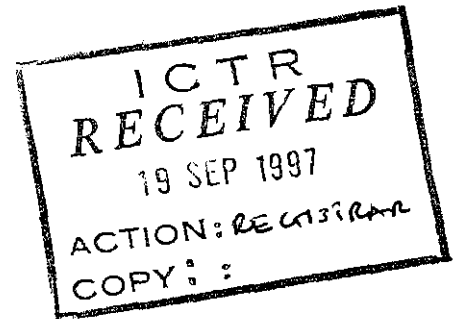
**International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda**

OR:ENG

Before : Judge Navanethem Pillay

Decision of : 16 September 1997

Registry: Ms. Prisca M. Nyambe



**PROSECUTOR
VERSUS
GRATIEN KABILIGI**

Case No.: ICTR-97-34-DP

**EXTENSION OF THE PROVISIONAL DETENTION
FOR A MAXIMUM PERIOD OF THIRTY DAYS
(IN ACCORDANCE WITH RULE 40 BIS (G)
OF THE RULES OF PROCEDURE AND EVIDENCE)**

Office of the Prosecutor: Mr. James Stewart

Counsel for the Defence: Mr. Jean Yaovi Degli

EXT40BIS(G)/97-34-DP/ENG

1

Case no. : ICTR-97-34-DP

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

SITTING in the person of Judge Navanethem Pillay;

CONSIDERING that the suspect Gratién Kabiligi is currently detained at the Detention Facility of the Tribunal, following an order for transfer and provisional detention issued on 16 July 1997 by Judge Kama, pursuant to Rule 40*bis*(B) of the Rules of Procedure and Evidence of the Tribunal (the 'Rules') and extended on 14 August 1997 by Judge Kama pursuant to Rule 40*bis*(F) of the Rules for another 30 days beginning on 18 August 1997;

CONSIDERING the request by the Prosecutor, dated 10 September 1997 and filed with the Registry on 11 September 1997, pursuant to the provisions of Rule 40*bis*(G) of the Rules, seeking the extension of the provisional detention of the suspect Gratién Kabiligi for a further period of thirty days;

HAVING HEARD the parties at a hearing on 15 September 1997 and having perused the sworn statement of Commander Øyvind Olsen;

THE TRIBUNAL, based on reasons to be furnished,

DISMISSES the Defence Counsel's submission that the suspect should be released,

FINDS THAT there are sufficient grounds as required in Rule 40*bis*(G) of the Rules for an extension of the period of detention;

ORDERS THAT :

(1) the suspect Gratién Kabiligi shall be kept in provisional detention at the Detention Facility of the Tribunal for a further period not exceeding 30 days, commencing on 17 September 1997 and expiring on 16 October 1997, both days included;

EXT40BIS(G)/97-34-DP/ENG

2

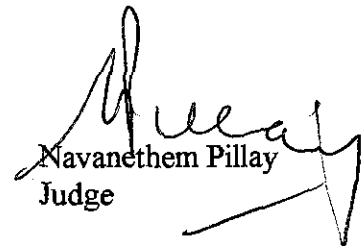


Case no. : ICTR-97-34-DP

(2) this shall be the final period of provisional detention and no further extensions shall be allowed;

(3) pursuant to Rule 40*bis*(H) of the Rules, in the event the indictment has not been confirmed and an arrest warrant signed by 16 October 1997, the suspect Gratién Kabiligi shall be released or, if appropriate, be delivered to the authorities of the State to whom the original request for transfer was made.

Arusha, 16 September 1997


Navanethem Pillay
Judge

(Seal of the Tribunal)

