

ICTR-96-13-A
15-NOV.-2001
(2136/A - 2135/A)

2136/A



UNITED NATIONS
NATIONS UNIES

**International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda**

Arusha International Conference Centre
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*Office of the President
Bureau du Président*

Before: Judge Navanethem Pillay, President

Original: English

Registry: Adama Dieng

Order of: 15 November 2001

ALFRED MUSEMA

versus

THE PROSECUTOR

ICTR-96-13-A

15-11-2001
[Signature]

Order For The Transfer Of Alfred Musema

Counsel for the Appellant:

Steven Kay QC
Michaïl Wladimiroff

Office of the Prosecutor:

Carla Del Ponte

ICTR
JUDICIAL RECORDS ARCHIVES
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2001 NOV 15 P 12:21

[Signature]

2136/A

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

SITTING in the person of Judge Navanethem Pillay, President;

CONSIDERING that Alfred Musema ("Musema") has filed an appeal against the trial judgment of 27 January 2000 and the Appeals Chamber is scheduled to deliver its judgment on 16 November 2001 (the "Appeal Judgment");

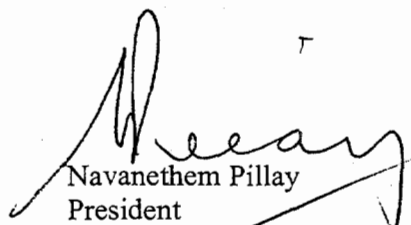

CONSIDERING that an appeals hearing was held on 17 October 2001 at the seat of the International Criminal Tribunal for the Former Yugoslavia (the "ICTY") at The Hague, The Netherlands and the Appeal Judgment will also be delivered at the seat of the ICTY, pursuant to an authorization issued by the President on 2 October 2001, which ordered *inter alia* that:

- (i) it is in the interest of justice that the hearing of 17 October 2001 and the hearing in respect of the rendering of the appeals judgment, be held at the seat of the ICTY, The Hague, The Netherlands;
- (ii) The Appellant may be present at the appeals hearing scheduled for 17 October 2001, provided the witnesses have expressed their willingness to testify and will be available on that day;
- (iii) The Appellant may also be present at a hearing to be scheduled for the rendering of the appeals judgment;
- (iv) If the Appellant does not waive his right to be present at these hearings, he shall be transferred to The Hague and detained at the ICTY Detention Facility, pending the judgment of the Appeals Chamber and until subsequent orders for his release or continued detention;¹

CONSIDERING that Musema was transferred to, and is currently detained at the Detention Facility of the ICTY at The Hague, to enable him to attend the appeal hearings of 17 October 2001 and 16 November 2001;

ORDERS that Alfred Musema shall be transferred to the Tribunal's Detention Facility in Arusha, Tanzania after the Appeal Judgment has been rendered on 16 November 2001.

Arusha, 15 November 2001


 Navanethem Pillay
 President


¹ "The President's authorization to the Appeals Chamber to hold hearings away from the seat of the Tribunal" issued by President Navanethem Pillay on 2 October 2001, pursuant to Rule 4 of the Tribunal's Rules of Procedure and Evidence.