



ICTR-01-66-I
14-01-2004
(1719 - 1718)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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TRIAL CHAMBER I

Before: Judge Erik Møse
Registrar: Adama Dieng
Date: 14 January 2004

The PROSECUTOR

v.

Athanase SEROMBA

Case No. ICTR-2001-66-I

JUDICIAL PROSECUTOR
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**DECISION ON THE PROSECUTION REQUEST TO WITHDRAW ITS
MOTION FOR TRIAL IN RWANDA**

The Office of the Prosecutor

Silvana Arbia
Jonathan Moses

The Defence

Alfred Pognon

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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

SITTING as Judge Erik Møse, designated by the Trial Chamber, pursuant to Rule 73 of the Rules of Procedure and Evidence of the Tribunal (“the Rules”);

BEING SEIZED OF the Prosecution “Request...to Withdraw Motion for Trial in Rwanda”, filed on 8 January 2004;

CONSIDERING the Prosecution “Motion for Trial in Rwanda”, filed on 3 June 2002, and its “Supplemental Submissions in Support of the Prosecutor’s Motion for Trial in Rwanda”, filed on 11 June 2002; the Defense “Réplique à la requête du procureur aux fins de la tenue du procès au Rwanda”, filed on 15 May 2003; and the letters of Athanase Seromba dated 7 June 2002, and 14 June 2002, filed on 10 June 2002 and 18 June 2002 respectively;

HEREBY DECIDES the motion.

The Prosecution has requested permission to withdraw its motion for holding all or part of the trial of the Accused in Rwanda. The motion was opposed by the Defence. The Chamber notes that adequate facilities for holding such trials do not appear to be available at present.¹ It is important to avoid any delay. The Chamber is of the view that the Prosecution should be permitted to withdraw its motion.

Motions which have been filed requesting *amicus curiae* status in relation to the Prosecution motion are, accordingly, moot.

FOR THE ABOVE REASONS, THE CHAMBER

GRANTS the request to withdraw the motion;

DECLARES that the related *amicus curiae* motions are moot.

Arusha, 14 January 2004



Erik Møse
Judge

[Seal of the Tribunal]



¹ Transcripts of Status Conference held on 14 January 2004.