



ICTR-01-76-T
29-09-2004
(2958-2957)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

2958

S. Mussa

OR: ENG

TRIAL CHAMBER I

Before: Judge Erik Møse

Registrar: Adama Dieng

Date: 29 September 2004

THE PROSECUTOR

v.

Aloys SIMBA

Case No. ICTR-01-76-T

JUDICIAL RECORDS/ARCHIVES
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ICTR
S. Mussa

**DECISION ON THE PROSECUTION'S EXTREMELY URGENT REQUEST FOR AN
EXTENSION OF THE TRIAL CHAMBER'S ORDER FOR TRANSFER OF
WITNESSES PURSUANT TO RULE 90 BIS (F)**

Office of the Prosecutor:

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William T. Egbe
Sulaiman Khan
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Counsel for the Defence

Sadikou Ayo Alao
Beth Lyons

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

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

BEING SEIZED OF the “Prosecutor’s Extremely Urgent Request for an Extension of the Trial Chamber’s Order for Transfer of Witnesses Pursuant to Rule 90 *bis* (F)”, filed on 28 September 2004;

HEREBY DECIDES the motion.

1. The Prosecution seeks to extend until 15 November 2004 the Order for the Transfer of Detained Witnesses, dated 4 August 2004, with respect to Witnesses KDD, YG, YC, ANX, AMH, and KEI. This order is set to expire on 30 September 2004.
2. Rule 90 *bis* (F) provides that “[i]f by the end of the period decided by the Tribunal the presence of the detained witnesses continues to be necessary, a Judge or a Chamber may extend the period, on the same conditions stated in Sub-Rule (B)”.
3. The Chamber finds that the requirements of Rule 90 *bis* (F) have been satisfied with respect to the six above-named witnesses. Due to the postponement of the commencement of trial, these witnesses could not be heard during the recent trial segment and are scheduled to testify during the upcoming trial session from 25 October until 12 November 2004. In addition, the Prosecution has confirmed, as required by Rule 90 *bis* (B), that the proposed extension would not extend the period of detention of these detainees in Rwanda nor would their presence be required for criminal proceedings during the period requested.

FOR THE ABOVE REASONS, THE CHAMBER

GRANTS the Prosecution’s motion;

ORDERS the extension of the authorised period transfer for Witnesses KDD, YG, YC, ANX, AMH, and KEI until 15 November 2004.

Arusha, 29 September 2004



Erik Møse
Presiding Judge

(Seal of the Tribunal)

