

International Criminal Tribunal for Rwanda Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER III

Before Judge:

Inés Mónica Weinberg de Roca, Presiding

Florence Rita Arrey

Robert Fremr

Registrar:

Adama Dieng

Date:

05 September 2007

THE PROSECUTOR

v.

Simon BIKINDI

Case No. ICTR-2001-72-T

DECISION ON MOTION FOR TRANSFER OF A DETAINED WITNESS PURSUANT TO RULE 90*BIS*

Rule 90 bis of the Rules of Procedure and Evidence

Office of the Prosecutor:

William T. Egbe Sulaiman Khan Veronic Wright Patrick Gabaake Iain Morley Amina Ibrahim Gilain Disengi Mugeyo Defence Counsel:

Andreas O'Shea Jean de Dieu Momo

INTRODUCTION

- 1. The Defence of Simon Bikindi is scheduled to commence its case on 24 September 2007.
- 2. Pursuant to Rules 90 bis of the Rules of Procedure and Evidence (the "Rules"), the Defence requests to order the temporary transfer of Witness KRQ, who is currently detained in Rwanda, to Arusha, to testify during the presentation of its case. The Prosecution does not object to the motion.

DELIBERATIONS

3. Since the Defence filed its motion, the Chamber was informed that Witness KRQ is not a detained anymore.⁴ The request from the Defence to order the temporary transfer of this witness pursuant to Rule 90 bis is consequently not justified.

FOR THE ABOVE REASON, THE CHAMBER

DENIES the Defence motion.

Arusha, 05 September 2007, in English.

With the consent and on behalf

of

Inés Mónica Weinberg de Roca Presiding Judge (Absent during signature) Florence Rita Arrey Judge

Robert Fremr Judge

[Seal of the Tribunal]

Scheduling Order, 26 June 2007.

Lettre du Parquet général de la République, datée 31 août 2007.

² Requête aux fins de solticiter l'ordre de transfert d'un témoin détenu en vertu de l'article 90bis, filed on 14 August 2007 (the Motion is dated 13 August 2007).

³ Prosecutor's Response to Defence Request Pursuant to Rule 90bis of the Rules of Procedure and Evidence for Transfer of Detained Witness KRQ, filed on 16 August 2007 (the Response is dated 15 August 2007).



TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

COURT MANAGEMENT SECTION

(Art. 27 of the Oirective for the Registry)

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