

ICTR-01-72-T
5-9-2007
(4271-4270)

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UNITED NATIONS
NATIONS UNIES

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

2007 SEP 05 11:00

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THE PROSECUTOR

v.

Simon BIKINDI

Case No. ICTR-2001-72-T

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

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

24

INTRODUCTION


1. The Defence of Simon Bikindi is scheduled to commence its case on 24 September 2007.¹
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.² The Prosecution does not object to the motion.³

DELIBERATIONS


3. Since the Defence filed its motion, the Chamber was informed that Witness KRQ is not a detainee 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]



¹ Scheduling Order, 26 June 2007.

² Requête aux fins de solliciter 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).

⁴ Lettre du Parquet général de la République, datée 31 août 2007.

