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UNITED NATIONS
NATIONS UNIES

ICTR-95-1D-R11bis

17-01-2011
(391-390)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

391
(A)

OR: ENG

TRIAL CHAMBER III

Before: Judge Vagn Joensen, Presiding
Judge Gberdao Gustave Kam
Judge Mparany Rajohnson

Registrar: Adama Dieng

Date: 17 January 2011

THE PROSECUTOR

v.

Charles SIKUBWABO

Case No. ICTR-95-1D-R11bis

UNICTR
JUDICIAL RECORDS/ARCHIVES
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[Signature]

SCHEDULING ORDER

Rules 11 bis and 54 of the Rules of Procedure and Evidence

Office of the Prosecutor:

Hassan Bubacar Jallow
Bongani Majola
Richard Karegyesa
Deborah Wilkinson
George Mugwanya
Inneke Onsea

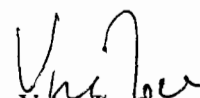
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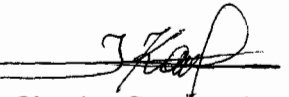
1. On 4 November 2010, the Prosecution filed a request seeking the referral of the case against Charles Sikubwabo to the authorities of the Republic of Rwanda pursuant to Rule 11 *bis* of the Rules of Procedure and Evidence.¹ The President of the Tribunal subsequently appointed the present Chamber to rule on this motion.²
2. The Chamber recalls that Charles Sikubwabo is still at large. Therefore the matter pending before this Chamber is not particularly urgent as long as the Accused has not been arrested.
3. The Chamber notes that the Prosecution has filed requests for referral pursuant to Rule 11 *bis* to the authorities of the Republic of Rwanda in two other cases, including one in relation to Jean Uwinkindi who is presently in the custody of the Tribunal. The Chamber considers that information that will be gathered in relation to the referral request concerning Jean Uwinkindi and the outcome of that case, in particular in the event of an appeal, is likely to impact on the issues that will be raised in relation to the present referral request.

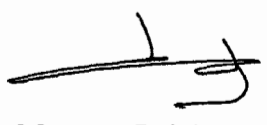
FOR THESE REASONS, THE CHAMBER

DECIDES that the proceedings in relation to the Prosecution's motion for the referral of Charles Sikubwabo's case to the authorities of the Republic of Rwanda, including the appointment of counsel for the Accused, shall be deferred until the Accused is arrested or until a final decision has been made in relation to the request pursuant to Rule 11 *bis* in the Uwinkindi case, whatever comes first.

Arusha, 17 January 2011, in English.


Vagn Joensen
Presiding Judge


Gberdao Gustave Kam
Judge


Mparany Rajohnson
Judge



¹ Prosecutor's Request for the Referral of the Case of Charles Sikubwabo to Rwanda Pursuant to Rule 11*bis* of the Tribunal's Rules of Procedure and Evidence, filed on 4 November 2010.

² See Notice of Designation, 26 November 2010.