



ICTR-01-75-I
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International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

UNITED
NATIONS
NATIONS
UNIES

OR: ENG

TRIAL CHAMBER II

Before Judges: Florence Rita Arrey, Presiding
Emile Francis Short
Robert Fremr

Registrar: Adama Dieng

Date: 28 January 2011

JUDICIAL RECORDS ARCHIVE
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THE PROSECUTOR

v.

JEAN-BOSCO UWINKINDI

Case No. ICTR-2001-75-R11bis

DECISION ON HUMAN RIGHTS WATCH
REQUEST FOR EXTENSION OF TIME TO FILE *AMICUS CURIAE*
SUPPORTING BRIEF

Office of the Prosecutor:

Hassan Bubacar Jallow
Bongani Majola
Richard Karegyesa
James Arguin
George Mugwanya
Inneke Onsea

Counsel for the Defence

Claver Sindayigaya
Iain Edwards
Bettina Spilker

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1. On 30 June 2010, the Accused Jean-Bosco Uwinkindi was arrested in Uganda. He was transferred to the United Nations Detention Facility (“UNDF”) in Arusha, Tanzania on 2 July 2010.¹
2. On 04 November 2010, the Prosecution, pursuant to Rule 11 *bis* of the Rules of Procedure and Evidence (“Rules”), filed a Motion requesting that the case of the *Prosecutor v. Jean Uwinkindi* be referred to the authorities of the Republic of Rwanda for trial in the High Court of Rwanda (“11 *bis* Motion”).²
3. On 26 November 2010, the President designated Trial Chamber II, as composed of Judge Florence Rita Arrey (presiding), Judge Emile Francis Short and Judge Robert Fremr, to decide the Prosecution’s 11 *bis* Motion.³
4. On 18 January 2011, the Trial Chamber granted a request by Human Rights Watch (HRW) to appear as *amicus curiae* in the instant case.⁴
5. On 27 January 2011, HRW filed a Motion asking for an extension of time to file its *amicus curiae* brief, citing staffing issues during the month of January 2011.⁵
6. On 27 January 2011, the Prosecutor filed a Response, stating that it has no objection to the request.⁶
7. The Trial Chamber observes that HRW is requesting an extension of time of ten days, and concludes that this delay will not interfere with the expeditious conduct of the proceedings. It further considers that granting this delay is in the interests of justice.

¹*Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-R11*bis*, T. 1 December 2010 p.1. Uwinkindi made a further appearance following the filing of an Amended Indictment on 23 November 2010.

²*Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-R11*bis*, Prosecutor’s request for the referral of the case of Jean-Bosco Uwinkindi to Rwanda pursuant to Rule 11*bis* of the Tribunal’s Rules of Procedure and Evidence, 4 November 2010.

³ Notice of Designation - *Prosecutor v. Jean Uwinkindi*, Case No. ICTR-2001-75-R11*bis*, 26 November 2010.

⁴ *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Decision on Human Rights Watch Request to appear as *Amicus Curiae* pursuant to Rule 74 of the ICTR Rules of Procedure and Evidence, 18 January 2011.

⁵ *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Human Rights Watch ‘Request for Extension of Time to File Amicus Curiae Supporting Brief’, 27 January 2011 (“Motion”), paras. 3-4.

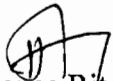
⁶ *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Prosecutor’s response to Human Rights Watch ‘Request for Extension of Time to File Amicus Curiae Supporting Brief’, 27 January 2011

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FOR THESE REASONS, THE REFERRAL BENCH

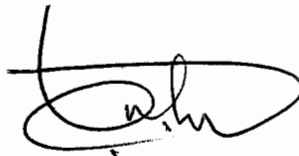
GRANTS the Motion.

Arusha, 28 January 2011, done in English.



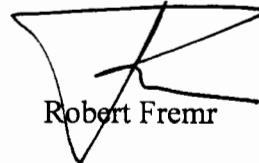
Florence Rita Arrey

Presiding Judge



Emile Francis Short

Judge



Robert Fremr

Judge

[Seal of the Tribunal]

