



Tribunal pénal international pour le Rwanda
International Criminal Tribunal for Rwanda

308/H

ICTR-01-75-AR11bis
26th January 2012
{308/H - 307/H}

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Presiding
Judge Patrick Robinson
Judge Mehmet Güney
Judge Andréia Vaz
Judge Carmel Agius

Registrar: Mr. Adama Dieng

Decision of: 26 January 2012

JEAN UWINKINDI

v.

THE PROSECUTOR

Case No. ICTR-01-75-AR11bis

**INTERIM ORDER ON UWINKINDI'S MOTION FOR REVIEW OR
RECONSIDERATION OF THE DECISION OF 16 DECEMBER 2011**

Counsel for Jean Uwinkindi:

Mr. Claver Sindayigaya

The Office of the Prosecutor:

Mr. Hassan Bubacar Jallow
Mr. James J. Arguin
Mr. George Mugwanya
Ms. Inneke Onsea
Mr. Abdoulaye Seye
Mr. François Nsanzuwera

ICTR Appeals Chamber
Date: 26th January 2012
Action: R. Summit
Copied To: Concerned Judges, SACs, LOS, PROs, Parties, CRLS, DS

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
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NAME / NOM: SHARIFAH ADONG
SIGNATURE: [Signature] DATE: 26/01/2012

THE APPEALS CHAMBER of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States Between 1 January and 31 December 1994 (“Appeals Chamber” and “Tribunal”, respectively),

RECALLING the Appeals Chamber’s decision of 16 December 2011 which, *inter alia*, dismissed Mr. Jean Uwinkindi’s appeal against the referral of his case to the Republic of Rwanda and stayed his transfer to Rwanda pending the acceptance of a corrected indictment;¹

BEING SEISED of a motion filed by Mr. Uwinkindi on 25 January 2012,² in which he seeks review or reconsideration of the Decision of 16 December 2011 on an expedited basis and, in the interim, an injunction to prevent his transfer to Rwanda pending a decision on the Motion;³

NOTING that, according to the Motion, the amended indictment against Mr. Uwinkindi was accepted by a trial chamber of the Tribunal on 23 January 2012 and, therefore, Mr. Uwinkindi’s transfer to Rwanda is now imminent;⁴

CONSIDERING that it is appropriate to stay the transfer of Mr. Uwinkindi to Rwanda pending resolution of the Motion;

HEREBY GRANTS the Motion in part and, pursuant to Rules 54 and 107 of the Rules of Procedure and Evidence of the Tribunal, **STAYS** the transfer of Mr. Uwinkindi pending full resolution of the Motion by the Appeals Chamber.

Done in English and French, the English version being authoritative.

Done this 26th day of January 2012,
At The Hague,
The Netherlands.



[Seal of the Tribunal]


Judge Theodor Meron
Presiding

¹ Decision on Uwinkindi’s Appeal Against the Referral of his Case to Rwanda and Related Motions, 16 December 2011 (“Decision of 16 December 2011”), para. 89.

² Defence Extremely Urgent Motion for Review or Reconsideration of the Decision of 16 December 2011 on Uwinkindi’s Appeal Against the Referral of his Case to Rwanda, 25 January 2012 (“Motion”).

³ Motion, paras. 21, 22.

⁴ Motion, para. 16.