

ICTR-01-75-R11bis

10-02-2011

(2272-2270)

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Friday



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

UNITED  
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UNIES

OR: ENG

**TRIAL CHAMBER II**

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

**Registrar:** Adama Dieng

**Date:** 10 February 2011

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JUDICIAL ADMINISTRATION

**THE PROSECUTOR**

v.

**JEAN-BOSCO UWINKINDI**

*Case No. ICTR-2001-75-R11bis*

**DECISION ON THE INTERNATIONAL CRIMINAL DEFENCE ATTORNEYS  
ASSOCIATION (ICDAA) REQUEST FOR EXTENSION OF TIME TO FILE  
AMICUS CURIAE 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

ICTR-01-75-0062

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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.<sup>1</sup>
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”).<sup>2</sup>
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.<sup>3</sup>
4. On 1 February 2011, the Trial Chamber granted a request by the International Criminal Defence Attorney’s Association (ICDAA) to appear as *amicus curiae* in the instant case.<sup>4</sup>
5. On 8 February 2011, the ICDAA filed a Motion requesting for an extension of time to file its *amicus curiae* brief, stating that they will need additional time to obtain all the related amendments, legal opinions and documents made by the Rwandan Government.<sup>5</sup>
6. On 8 February 2011, the Defence filed a Response, stating that it has no objection to the request.<sup>6</sup>

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<sup>1</sup> *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.

<sup>2</sup> *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.

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

<sup>4</sup> *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Decision on Request by International Criminal Defence Attorney’s Association (ICDAA) for leave to appear as *Amicus Curiae* pursuant to Rule 74 of the ICTR Rules of Procedure and Evidence, 1 February 2011.

<sup>5</sup> *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Request by International Criminal Defence Attorney’s Association (ICDAA) for an extension of the deadline to file its brief pursuant to the Chamber’s decision granting leave to appear as *Amicus Curiae*, 8 February 2011 (“Motion”), paras. 2-3.

<sup>6</sup> *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Defence response to ICDAA request for extension of Time to File *Amicus Curiae*, 8 February 2011

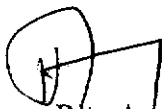
7. The Chamber notes that it has granted a similar request for an extension of time to file its *amicus curiae* brief to Human Rights Watch on 28 January 2011<sup>7</sup> and the Rwandan Government on 1 February 2011.<sup>8</sup>

8. The Trial Chamber observes that the ICDA is requesting an extension until 11 March to file its brief. The Chamber finds that this delay will not interfere with the expeditious conduct of the proceedings and that granting this delay is in the interests of justice.

**FOR THESE REASONS, THE REFERRAL BENCH**

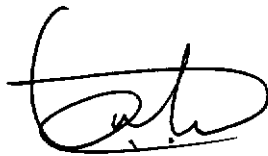
**GRANTS** the Motion.

Arusha, 10 February 2011, done in English.



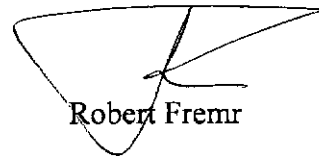
Florence Rita Arrey

Presiding Judge



Emile Francis Short

Judge



Robert Fremr

Judge

[Seal of the Tribunal]



<sup>7</sup> *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Decision on Human Rights Watch Request for Extension of Time to File an amicus curiae supporting brief, 28 January 2011

<sup>8</sup> *Prosecutor v. Jean-Bosco Uwinkindi*, Case No. ICTR-2001-75-I, Decision on Government of Rwanda's request for extension of time to file amicus curiae brief pursuant to Chamber's invitation, 1 February 2011