



UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda

Arusha International Conference Centre
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Tel: 255 57 4207-11 4367-72 or 1 212 963 2850 Fax: 255 57 4000/4373 or 1 212 963 2848/49

ICIR-98-41-T
18-03-2009
(40725-40724)

40725
S. Muna

TRIALCHAMBER I

Before: Judge Erik Møse, Presiding
Judge Jai Ram Reddy
Judge Sergei Alekseevich Egorov

Registrar: Adama Dieng

Filed on: 18 March 2009

JUDICIAL RECORDS ARCHIVE
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THE PROSECUTOR

v.

**THÉONESTE BAGOSORA
GRATIEN KABILIGI
ALOYS NTABAKUZE
ANATOLE NSENGIYUMVA**

Case No. ICTR-98-41-T

**PROSECUTOR'S MOTION REQUESTING THE TRIAL CHAMBER TO
LIFT CONDITIONS ON KABILIGI'S LIBERTY IMPOSED IN THE
"DECISION ON THE PROSECUTION MOTION TO IMPOSE CONDITIONS
ON KABILIGI'S LIBERTY" DATED 31 DECEMBER 2008.**

Office of the Prosecutor:

Hassan Bubacar Jallow
Alex Obote-Odora
George Mugwanya

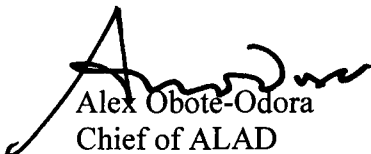
Defence Counsel

Paul Skolnik

1. On 18 December 2008, Trial Chamber I of the International Criminal Tribunal for Rwanda pronounced its oral Judgement by way of a summary in the case of *Prosecutor v. Bagosora et al.* On 22 December 2008 the Prosecutor filed an urgent motion requesting the Trial Chamber to impose conditions on Kabiligi's liberty pending the Prosecutor's decision whether or not to appeal.¹
2. On 31 December 2008, the Trial Chamber granted the motion, in part, requesting Kabiligi to inform the Tribunal and his counsel of his whereabouts in the event that there is a change in Kabiligi present residence before the expiration of the period for filing a notice of appeal.²
3. On 9 February 2009 the Prosecutor received the written judgement. After a careful analysis of the written Judgement the Prosecutor decided not to file an appeal in this case.
4. Due to the circumstances outlined above and in the interest of justice, the Prosecutor respectfully requests that the conditions imposed on Kabiligi's liberty to the effect that he informs the Tribunal and his counsel of his whereabouts in the event of a change in his present residence will no longer be relevant in view of the Prosecutor's decision not to appeal and should be lifted accordingly.

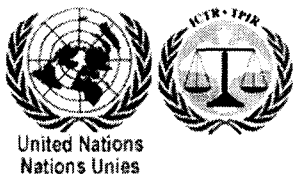
WORD COUNT: 386

Dated 18 March 2009, at Arusha, Tanzania


Alex Obote-Odora
Chief of ALAD

¹ Prosecutor's Extremely Urgent Motion Requesting the Chamber to Impose conditions On Kabiligi's Liberty Pending the Prosecutor's Decision To appeal, filed on 22 December 2008. ("The Motion")

² Decision on Prosecution's Motion to Impose Conditions on Kabiligi's Liberty, 31 December 2008 ("The Decision").



TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

COURT MANAGEMENT SECTION
(Art. 27 of the Directive for the Registry)

I - GENERAL INFORMATION (To be completed by the Chambers / Filing Party)

| | | | | |
|---|---|---|---|---|
| To: | <input type="checkbox"/> Trial Chamber I N. M. Diallo | <input type="checkbox"/> Trial Chamber II R. N. Kouambo | <input type="checkbox"/> Trial Chamber III C. K. Hometowu | <input type="checkbox"/> Trial Chamber III A. N'Gum |
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| From: | <input type="checkbox"/> Chamber (names) | <input type="checkbox"/> Defence (names) | <input checked="" type="checkbox"/> Prosecutor's Office ALEX OBOTE- ODORA <i>for N. M. Diallo</i> (names) | |
| Case Name: | The Prosecutor vs. GRATIEN KABILIGI | | Case Number: ICTR-98-41-T | |
| Dates: | Transmitted: 18 MARCH 2009 | | Document's date: 18 MARCH 2009 | |
| No. of Pages: | 2 | Original Language: <input checked="" type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda | | |
| Title of Document: | PROSECUTOR'S MOTION REQUESTING THE TRIAL CHAMBER TO LIFT CONDITIONS ON KABILIGI'S LIBERTY IMPOSED IN THE "DECISION ON THE PROSECUTION MOTION TO IMPOSE CONDITIONS ON KABILIGI'S LIBERTY" DATED 31 DECEMBER 2008. | | | |
| Classification Level: | | TRIM Document Type: | | |
| <input type="checkbox"/> Ex Parte | | <input type="checkbox"/> Indictment <input type="checkbox"/> Warrant <input type="checkbox"/> Correspondence <input type="checkbox"/> Submission from non-parties | | |
| <input type="checkbox"/> Strictly Confidential / Under Seal | | <input type="checkbox"/> Decision <input type="checkbox"/> Affidavit <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Submission from parties | | |
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