



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

Case No: ICTR-96-15-A

Date: 3 JUNE 1999  
 ORIGINAL REGISTRY  
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**IN THE APPEALS CHAMBER**

**Before:** Judge Gabrielle Kirk McDonald, Presiding  
 Judge Mohamed Shahabuddeen  
 Judge Lal Chand Vohrah  
 Judge Wang Tieya  
 Judge Rafael Nieto-Navia

**Registrar:** Mr. Agwu U. Okali

**Decision of:** 3 June 1999

**JOSEPH KANYABASHI**

v.

**THE PROSECUTOR**

**DECISION ON EXTREMELY URGENT DEFENCE MOTION REQUESTING THE  
 POSTPONEMENT OF APPEALS CHAMBER'S DECISION TO BE RENDERED ON  
 3 JUNE 1999, IN THE MATTER OF JOSEPH KANYABASHI v. THE  
 PROSECUTOR**

**Counsel for the Appellant:**

Mr. Michel Marchand  
 Mr. Michel Boyer

**The Office of the Prosecutor:**

Mr. David Spencer  
 Mr. Ibukunolu Babajide  
 Mr. Chile Eboe-Osuji  
 Mr. Robert Petit

International Criminal Tribunal for Rwanda  
 Tribunal pénal international pour le Rwanda  
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 COPIE CERTIFIÉE CONFORME A L'ORIGINAL PAR NOUS  
 NAME / NOM: JOHN M. KIYEYE  
 SIGNATURE: [Signature] DATE: 3.6.99

**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 (“the Appeals Chamber” and “the Tribunal”, respectively),

**NOTING** the “Extremely Urgent Motion” filed on 1 June 1999 by the appellant Mr. Kanyabashi dated 28 May 1999, requesting postponement of the Appeals Chamber decision to be rendered on 3 June 1999, in Joseph Kanyabashi v. The Prosecutor, Case No. ICTR- 96-15-A (“the Motion”),

**NOTING** that the appellant requests postponement of the delivering of the decision of the Chamber to a date which will allow for the compilation of what the appellant regards as a proper dossier,


**NOTING** that the Appellant’s motion is based on an allegation that the existing material before the Chamber includes an inaccurate translation of the proceedings before Trial Chamber I on 24 September 1998,

**NOTING** that the Appeals Chamber will be proceeding on the basis that the appellant is correct in his view of what should be the correct translation,

**TAKING INTO ACCOUNT** the time which has elapsed since this appeal was filed on 30 September 1998 and the number of pleadings and other communications exchanged, causing further and unnecessary delays in the disposition of this Appeal.

**THE APPEALS CHAMBER HEREBY DISMISSES** the appellant’s motion for postponement and now proceeds to deliver the decision

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

  
Gabrielle Kirk McDonald  
Presiding Judge

Dated this third day of June 1999  
At Arusha  
Tanzania

[Seal of the Tribunal]

