



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR: ENG

**TRIAL CHAMBER II**

Before: Judge Laity Kama, Presiding  
Judge William H. Sekule  
Judge Mehmet Güney

Registry: Antoine Mindua

Decision of: 23 June 2000

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**THE PROSECUTOR**

v.

**Eliezer NIYITEGEKA**  
Case No. ICTR-96-14-I

**DECISION TO EXTEND THE DEADLINE FOR THE SUBMISSION OF  
THE AMENDED INDICTMENT**

The Office of the Prosecutor:  
Ken Fleming  
Don Webster

Counsel for the Accused:  
  
Sylvia Geraghty

International Criminal Tribunal for Rwanda Tribunal pénal international pour le Rwanda	
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NAME / NOM: <i>Dr. MINDUA... K... M... Antoine</i>	
SIGNATURE: <i>[Signature]</i>	DATE: <i>23.06.2000</i>

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (The "Tribunal"),

SITTING as Trial Chamber II, composed of Judges Laïty Kama, Presiding, William H. Sekule, and Mehmet Güney;

CONSIDERING the Trial Chamber decision of 21 June 2000 on the Prosecutor's request for leave to file an amended indictment which ordered the Prosecutor to file the new amended indictment reflecting the Chamber's orders in French and English with the Registry by Friday 23 June 2000 at 9 hours so that it be served to the Defence no later than 12 hours the same day;

CONSIDERING that the Prosecutor informed the Chamber that she could not comply with the said order due to technical and practical reasons pertaining to internal organisation problems within the Office of the Prosecutor;

BEING NOW SEIZED, after the said deadline has passed, of a an informal request to extend the deadline for the submission of the new amended indictment to 26 June 2000 submitted in the format of a letter dated 23 June 2000 and directly handed over to Trial Chamber II,

NOTING THAT the Prosecutor is in breach of her obligation to comply with the deadline laid in the Chamber's order to file a new indictment;

REMINDS the Prosecutor of her obvious obligation to comply fully and in a timely manner with Trial Chamber decisions;

NOTING that the said decision dated 21 June 2000 was rendered on a motion brought by the Prosecutor herself;

NOTING FURTHERMORE that the informal request for an extension of the deadline was not properly filed with the Registry as a motion pursuant to Rule 73 of the Rules of Procedure and Evidence;

**The Trial Chamber,**

CONSIDERING that the Prosecutor is in breach of her obligation to comply with the deadline laid in the said Chamber's Decision of 21 June 2000;

DECIDES NEVERTHELESS, *proprio motu* and in the interest of justice solely, to extend the deadline for filing the new indictment, in English and French, to Monday 26 June 2000 at 9.30 hours, and that it be immediately served upon the Defence and the Accused by the Registry;

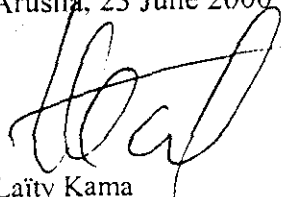


ORDERS the Prosecutor to file the new indictment by Monday 26 June 2000 at 9.30 hours with the Registry;

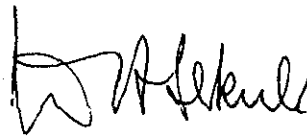
DIRECTS the Registry to reschedule the initial appearance of the Accused on Tuesday 27 June 2000 at 5.00 hours PM in order to give sufficient time to the Accused to review the new indictment so as to be sufficiently informed of the new charges brought against him;

ORDERS the Registry to serve upon the Defense and the Accused the new indictment immediately after reception.

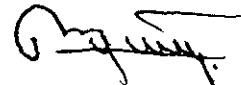
Arusha, 23 June 2000



Laity Kama  
Presiding Judge



William H. Sekule  
Judge



Mehmet Güney  
Judge

(Seal of the Tribunal)

