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Bis



International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda

IN THE APPEALS CHAMBER

Before: Judge Claude JORDA, Pre-Hearing Judge
Registrar: Mr. Agwu U. OKALI
Order of: 9 January 2001

JUDICIAL RECORDS ARCHIVES
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Georges Anderson Nderubumwe RUTAGANDA
(Appellant)

v.

THE PROSECUTOR
(Respondent)

ICTR-96-3-A

19 JANUARY 2001

(6891H_{Bis} - 6871H_{Bis})

Case No. ICTR-96-3-A

ORDER

(Motion of 8 January 2001 for Extension of Time Limit)

Counsel for the Appellant

Mr. David P. JACOBS

Counsel for the Prosecution

Mr. Solomon LOH

ICTR Appeals Chamber
Date: 19/January/2001
Action:
Copied To: All Judges, A.D.s,

Judicial Archives (original)
MD.

Translation

I, Claud Jorda, Pre-Hearing Judge in this case,

NOTING the Judgement delivered on 6 December 1999 in this case by Trial Chamber I of the International Criminal Tribunal for Rwanda;

NOTING the Notices of Appeal filed on 5 January 2000 by Georges Anderson Nderubumwe RUTAGANDA ("the Appellant" and on 6 January 2000 by the Prosecution;

NOTING the Appeals Chamber Order of 4 December 2000 pointing to the shortcomings of the previously certified Record on Appeal, requesting the Registrar to correct and complete the said Record in the form of an addendum thereto and granting the Appellant an extra 30 days to file his Appellant's Brief, to run from the service of the said addendum on the parties;

NOTING the fax from the Registry to Ms. Tiphaine DICKSON dated 29 December 2000 and the fax dated 5 January 2001 to the Pre-Hearing Judge and to the parties stating that the aforementioned addendum was not complete;

NOTING ALSO the fax from the Registry dated 9 January 2001 stating that at least 15 working days were still required to complete the addendum;

NOTING FURTHER the Registrar's decision of 5 January 2001 entitled "Decision of Withdrawal of Ms. Tiphaine Dickson as Lead Counsel of Mr. Georges Rutaganda and Assignment of Mr. David Jacobs as Lead Counsel of Mr. Georges Rutaganda" whereby the Registrar granted a motion by the Lead Counsel, Ms. Tiphaine JACKSON, for her to withdraw for health reasons, and appointed Mr. David JACOBS as Lead Counsel for the Appellant;

NOTING the Appellant's Motion of 8 January 2001 entitled "Extremely Urgent Motion for Suspension of Time Limits and Other Matters" ("the Motion"), in which the Appellant seeks:

- (1) An extension of the time limits for filing his written submissions, firstly because of the change in counsel and secondly because the Record on Appeal remains incomplete;
- (2) An Appeals Chamber hearing of the parties, in The Hague, on his Motion;

NOTING the Prosecution response of 9 January 2001, entitled "Prosecution Response to the Appellant's Extremely Urgent Motion for Extension of Time-Limits", to the aforementioned Motion, in which the Prosecution:

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- (1) Makes no specific objection to an extension of the time limit for filing the Appellant's Brief other than the excessive length of the extension requested, which it leaves to the Appeal Chamber's discretion; and
- (2) Finds reasonable an extension of 15 days for filing Rutaganda's response to the Prosecution Brief;

NOTING Rule 116 of the Tribunal's Rules of Procedure and Evidence ("the Rules") whereby the Appeals Chamber may grant a request for an extension if it considers the request justified;

CONSIDERING that the accumulated difficulties cited by the Appellant justify an extension of the time limits for him to file a response to the Prosecution's Appeal Brief and his own Appellant's Brief;

CONSIDERING THEREFORE that a hearing of the parties on the Motion is unnecessary in the circumstances;

FOR THESE REASONS

REQUESTS the Registrar to serve the supplemental addendum on the parties as soon as possible and at the latest within 30 days of this Order;

GRANTS the Motion by allowing an extension of 15 days for the Appellant to file a response to the Prosecution's Appeal Brief and 60 days for him to file his Appellant's Brief, starting from service by the Registrar of the addendum, in its final form, upon the parties;

RULES that the time limits for filing other written submissions shall be calculated in accordance with Rules 112 and 113.

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

[signed]

C. Jorda,
Pre-Hearing Judge

Done at The Hague (Netherlands), 9 January 2001

[Seal of the Tribunal]