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Tribunal pénal international pour le Rwanda International Criminal Tribunal for Rwanda

ENGLISH Original: FRENCH

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APPEALS CHAMBER

Before:

Claude Jorda, Pre-Hearing Judge

Registry:

Adama Dieng

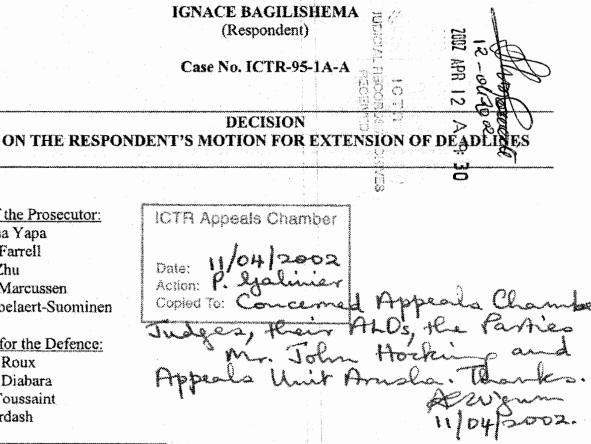
Date filed:

25 January 2002

THE PROSECUTOR (Appellant)

ICTR-95-1A.A 11 APRIL 2002 (558/H

v.



Office of the Prosecutor: Upawansa Yapa Norman Farrell Wen-qi Zhu Mathias Marcussen Sonjia Boelaert-Suominen

Counsel for the Defence: François Roux Maroufa Diabara Valérie Toussaint Wayn Jordash

Translation certified by LCSS, ICTR

HAG(A)02-026 (E)

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I, Claude Jorda, Pre-Hearing Judge on Appeal in the instant case,

Considering Rule 108 bis (B) of the Rules of Procedure and Evidence (the "Rules"),

Considering the Judgement Trial Chamber I of ICTR pronounced on 7 June 2001 in the instant case,

Considering the Notice of Appeal by the Prosecutor (the "Appellant") filed on 9 July 2001,

Considering the "Prosecution's Appeal Brief (further reduced version)" filed by the Appellant on 7 January 2002 ("Appellant's Brief"),

Considering the "Respondent's Motion for Supplementary Time-Limit" ("the Motion") filed on 22 January 2002 by Ignace Bagilishema ("the Respondent") which focussed on the problems he was encountering in forming a 4-man defence team as a result of the difficulties his Co-counsel was facing with the Registry in having his extra hours paid, and thus requesting the Appeals Chamber to grant a two-month extension of the deadline for filing a reply to the Appellant's Brief making a total of three months) reckoning from when the French version of said Brief was served on the Respondent and his Counsel,

Considering that the Pre-Hearing Judge and the Appeals Chamber have already been seized of said Motion, both in the "Request [...] for a translation and for an extension of deadlines" filed on 31 October 2001 and in the "Motion for Review of the order of the President of the Appeals Chamber" filed on 12 December 2001; that in the latter Motion cited above, the Respondent further argues that the Defence is "encountering difficulties with the Registry in obtaining a renewal of working hours for his co-counsel;"¹ that the said Motion is under review by the Appeals Chamber,

Considering that the Prosecutor has replied to the two motions cited above objecting to the request for extension of deadlines,

Considering that the Motion thus amounts to an abuse of process within the meaning of Rule 73 (E) of the Rules,

¹ "Motion for a review of the Order of the President of the Appeals Chamber", *The Prosecutor v. Ignace Bagilishema*, ICTR-95-1A-A, 12 December 2001, para. 15.

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For the foregoing reasons,

Dismiss the Motion;

Contraction (Net York)

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Request the Registrar to ensure that payment is stayed with regard to the entire amount of fees charged with regard to the Motion and other related costs.

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

Claude Jorda Pre-Hearing Judge on Appeal

Done at The Hague, The Netherlands, 25 January 2002.

[Seal of the Tribunal]

