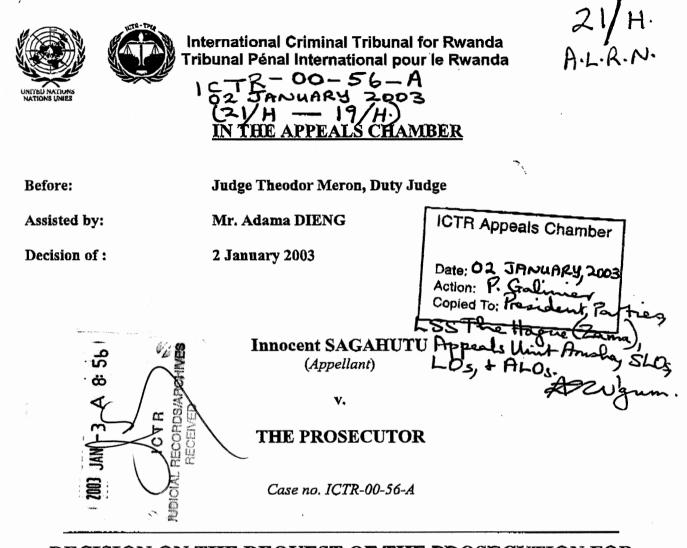
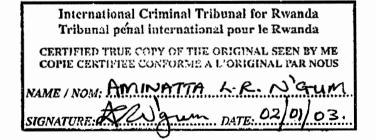
ICTR



## DECISION ON THE REQUEST OF THE PROSECUTION FOR EXTENSION OF TIME

<u>Counsel for the Appellant</u> Mr. Fabien SEGATWA Mr. Didier PATRY

<u>Counsel for the Prosecution</u> Ms. Barbara MULVANEY



I, Theodor Meron, Judge of 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 1994 and 31 December 1994 ("Appeals Chamber");

**DESIGNATED** as Duty Judge for the week from 30 December 2002 through 3 January 2003 by the President of the International Criminal Tribunal for the Former Yugoslavia;

**CONSIDERING** in particular Rule 7 *ter* and Rule 116 of the Rules of Procedure and Evidence ("Rules") and paragraphs 5 and 16 to 18 of the Practice Direction on Procedure for the Filing of Written Submissions in appeal proceedings before the Tribunal issued on 16 September 2002 ("Practice Direction");

**CONSIDERING** the "Requête aux fins de demande d'autorisation d'interjeter appel contre la décision rendue le 25 septembre 2002" ("Application for leave to appeal") filed on 23 December 2002 by Innocent Sagahutu ("Appelant");

**CONSIDERING** the "Prosecution's Request for an Extension of Time with Regard to the Accused Sagahutu's "*Requête aux [fins] de demande d'autorisation d'interjeter appel contre la décision rendue le 25 septembre 2002*" filed on 23 December 2002", filed at the Registry in Arusha on the 27 December 2002 ("Request for Extension of Time"), in which the Prosecution requests for an extension of time until 20 January 2003 to file its response to the Application for leave to appeal ;

CONSIDERING that the Request for Extension of Time was provided to the Appeals Chamber on 31 December 2002 at the end of the day;

NOTING that in accordance with paragraph 5 of the Practice Direction, the deadline for the Prosecution to file its response to the Application for leave to appeal is 2 January 2003;

**NOTING** that in support of the Request for Extension of Time, the Prosecution submits mainly that, due to the current judicial recess and in the absence of the Prosecution counsel most knowledgeable about the case, the Prosecution is unable to file timely a complete response to the Application for leave to appeal;

CONSIDERING that the request of the Prosecution is unfounded;

CONSIDERING however, that, given the circumstances of the case and the late transmission of the Request for Extension of Time to the Appeals Chamber, it is in the interest of justice to grant an extension of time to the Prosecution in order to file its response to the Application for leave to appeal;

ICTR

FOR THESE REASONS,

GRANT in part the Request for Extension of time and ORDER the Prosecution to file its response by the 7 January 2003 at the latest.

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

Mer

Theodor Meron Duty Judge

Done at The Hague, 2 January 2003

