



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

**IN THE APPEALS CHAMBER**

**Before:** Judge Mehmet GÜNEY, Pre-Appeal Judge

**Registrar:** Mr. Adama DIENG

**Decision of:** 20 May 2003

**Élizaphan Ntakirutimana and Gérard Ntakirutimana**

**v/**

**THE PROSECUTOR**

*Case No. ICTR-96-10-A and ICTR-96-17-A*

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**ORDER GRANTING AN EXTENSION OF TIME FOR THE FILING OF THE  
APPELLANTS' APPEAL BRIEFS**

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**Counsel for the Prosecutor:**

Mr Norman FARRELL

**Counsel for Elizaphan Ntakirutimana**

Mr Ramsey CLARK

**Counsel for Gérard Ntakirutimana**

Mr David JACOBS

**I, Mehmet Güney, Pre-Appeal Judge,**

**NOTING** the Judgement and Sentence rendered in the present case on 21 February 2003 by Trial Chamber I of the International Tribunal;

**NOTING** the Notices of Appeal filed pursuant to Rule 108 of the Rules of Procedure and Evidence ("the Rules") by Elizaphan Ntakirutimana and Gérard Ntakirutimana ("the Appellants") and the Prosecution respectively on 21 March 2003;

**BEING SEISED** of an "Urgent Defence Motion for an Extension of Time for the Filing of the Appellants' Briefs", filed jointly by Elizaphan Ntakirutimana and Gérard

Ntakirutimana on 9 May 2003 (“the Request”) wherein the Appellants request on the basis of Rule 116 of the Rules an extension of time of 45 days from 3 June 2003 in which to file their Appellant Briefs;

**NOTING** the Prosecution’s “Response to Urgent Defence Motion for an Extension of Time for the Filing of the Appellant’s Appeal Briefs” filed on 13 May 2003 in which the Prosecution consents to the extension of time sought by the Appellants and requests that any extension of time granted should apply equally to the Prosecution;

**NOTING** Rule 111 of the Rules, which provides, *inter alia*, that the Appellant’s Brief shall be filed within seventy-five days of filing of the Notice of Appeal;

**NOTING** Rule 116 of the Rules which provides that the Appeals Chamber may grant a motion to extend a time limit upon a showing of good cause;

**CONSIDERING** that in their Request, the Appellants submit, *inter alia*, that Counsel for Gérard Ntakirutimana is involved in the case *The Prosecutor v. Georges Rutaganda*, Case no. ICTR-96-3-A and that there are a number of grounds of appeal to prepare in the present case;

**CONSIDERING** that all the other submissions in the Request are not relevant to the Request;

**CONSIDERING** that the Appellants have indicated that they intend to present submissions on most legal issues in only one brief to avoid repetition;

**CONSIDERING** that subject to the above, the specific circumstances of the Request constitute good cause in this case;

**CONSIDERING**, however, that an extension of time of 45 days is not justified in this case;

**PURSUANT TO** Rule 116 of the Rules;

**HEREBY GRANT** the Request for an extension of time and **ORDER** that the Appellants and the Prosecution file their Appellant Briefs no later than Monday 23 June 2003.

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

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Mehmet Güney  
Pre-Appeal Judge

Dated this twentieth day of May 2003,  
At The Hague,  
The Netherlands.

[Seal of the Tribunal]