



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

## IN THE APPEALS CHAMBER

**Before:** Judge Inés Mónica Weinberg de Roca, Duty Judge

**Registry:** Adama Dieng

**Decision of:** 19 September 2003

**THE PROSECUTION**  
v.  
**THÉONESTE BAGASORA**  
**GRATIEN KABILIGI**  
**ALOYS NTABAKUZE**  
**ANATOLE NSENGIYUMVA**

*Case No. ICTR-98-41-AR72(C)*

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### DECISION ON MOTION FOR EXTENSION OF TIME TO FILE AN APPEAL

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**Counsel for the Prosecution:**

Barbara Mulvaney  
Drew White  
Segun Jegede  
Alex Obote-Odora  
Christine Graham  
Rashid Rashid

**Counsel for the Appellant:**

Peter Erlinder  
André Tremblay

**I, Inés Mónica Weinberg de Roca**, 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 and 31 December 1994 (“Tribunal”),

**SERVING** as a Duty Judge pursuant to Rule 28 of the Rules of Procedure and Evidence of the Tribunal;

**BEING SEISED OF** “Ntabakuze Defence Motion Under Rule 116(C) for Extension of the Delay to Produce an Appeal Certified Under Rule 72(C)” (“Motion”), filed on 17 September 2003, wherein Appellant Ntabakuze requests an extension of time to file an appeal from 18 September 2003 to 22 September 2003;

**NOTING** that on 11 September 2003 Trial Chamber I of the Tribunal certified for interlocutory appeal its Decision on Motions by Ntabakuze for Severance and to Establish a Reasonable Schedule for the Presentation of Prosecution Witnesses issued on 9 September 2003;

**NOTING** Appellant’s submission that his defence team were unable to begin the preparation of the appeal due to physical absence or illness;

**NOTING** Appellant’s submission that he did not receive the trial materials essential for the preparation of the appeal until 16 September 2003;

**CONSIDERING** the short duration of the extension requested;

**CONSIDERING** that the Prosecution does not object to Appellant’s request;

**CONSIDERING** that the explanation provided by Appellant shows good cause for extension;

**PURSUANT** to Rule 116(A);

**HEREBY GRANT** the Motion and **ORDER** that the time to file the appeal be extended until the end of the day on Monday, 22 September 2003.

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

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Judge Inés Mónica Weinberg de Roca  
Duty Judge

Dated this 19th day of September 2003,  
At the Hague,  
The Netherlands.

**[Seal of the Tribunal]**