



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

IN THE APPEALS CHAMBER

Before:

Judge Theodor Meron, Presiding
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Fausto Pocar
Judge Inés Mónica Weinberg de Roca

Registrar: Mr. Adama Dieng

Order of: 20 November 2003

THE PROSECUTOR

v.

**CASIMIR BIZIMUNGU
JUSTIN MUGENZI
JEROME BICAMUMPAKA
PROSPER MUGIRANEZA**

Case No. ICTR-99-50-AR50

**DECISION ON CASIMIR BIZIMUNGU'S MOTION FOR AN EXTENSION OF
TIME**

Counsel for the Prosecution

Mr. Paul Ng'arua
Mr. Ibukunolu Babajide
Mr. Elvis Bazawule
Mr. George Mugwanya

Counsel for the Defence

Ms. Michelyne C. St. Laurent

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” and “International Tribunal”, respectively),

BEING SEISED OF the “Requête de la défense afin d’obtenir une extension du délai dans lequel elle doit déposer une réponse à la «Prosecutor’s Appeal Against Trial Chamber II Decision of 6 October 2003 Denying Leave to File Amended Indictment»” (“Motion”), filed by counsel for Defendant Casimir Bizimungu (“Defendant”) on 5 November 2003;

NOTING the “Prosecutor’s Appeal against Trial Chamber II Decision of 6 October 2003 Denying Leave to File Amended Indictment” (“Appeal”), filed on 3 November 2003;

NOTING that the Motion seeks an extension of time to respond to the Appeal until ten days after the Defendant receives a French translation of the Appeal;

NOTING that the Prosecution has not filed a response to the Motion;

CONSIDERING that the Registry has informed the Appeals Chamber that a French translation of the Appeal is now available;

CONSIDERING that the working language of counsel for the Defendant is French;

CONSIDERING that Rule 116(A) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”) permits the Appeals Chamber to grant a motion to extend a time limit “upon a showing of good cause”;

CONSIDERING that, in light of Rule 116(B) of the Rules, there is good cause for granting an extension of time pursuant to Rule 116(A) of the Rules;

CONSIDERING, however, that counsel is able to commence preparation of a response before a translation is received, and that it is therefore unnecessary to treat the period for responding as running only from the date that the Defendant receives the translation;

FOR THE FOREGOING REASONS,

HEREBY GRANTS the Motion in part;

ORDERS that Defendant Casimir Bizimungu’s response to the Appeal may be filed on or before 26 November 2003; and

DIRECTS the Registrar to forward a translation of the Appeal to counsel for the Defendant immediately, if he has not already done so.

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

Theodor Meron
Presiding Judge of the Appeals Chamber

Done this 20th day of November 2003,
At The Hague,
The Netherlands.

[Seal of the International Tribunal]