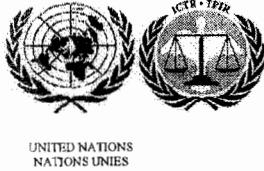


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ICTR-01-76-1  
11-02-2004  
(927-926)

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

927

S. Mussa

OR: ENG

**TRIAL CHAMBER I**

**Before:** Judge Erik Møse

**Registrar:** Adama Dieng

**Date:** 11 February 2004

**THE PROSECUTOR**

v.

**Aloys SIMBA**

**Case No. ICTR-2001-76-I**

2004 FEB 11 P. 10  
M. 10

**DECISION ON MOTION FOR EXTENSION OF TIME**

**The Prosecutor**

William T. Egbe  
Sulaiman Khan  
Ignacio Tredici  
Amina Ibrahim

**The Defence**

Sadikou Ayo Alao  
Francis Dako

h. h.

926

**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA** ("the Tribunal"),

**SITTING** as Trial Chamber I, composed of Judge Erik Møse, designated by the Chamber in accordance with Rule 73(A);

**BEING SEISED** of the Defence "Requête en extrême urgence de la Défense en vue d'obtenir une autorisation à produire à date fixe ou une prorogation des délais pour le dépôt d'une requête suite à la décision de la première chambre (Article 73 D du RPP)", filed on 3 February 2004;

**CONSIDERING** the Prosecution "Response" thereto, filed on 4 February 2003; and the Defence "Réplique" thereto filed on 9 February 2004;

**HEREBY DECIDES** the Motion.

1. By decision filed in English on 26 January 2004, the Chamber granted a Prosecution motion to amend the Indictment of the Accused Aloys Simba, "in accordance with Annex B of the motion".<sup>1</sup> The Defence requests that the time periods specified in Rule 73(D) should commence only once the French translation of the decision has been received by the Defence, the language understood by the Accused and by Lead Counsel.
2. The basis of the motion is unclear. Rule 73(D) concerns deadlines that arise when a date has been set for the hearing of a motion. As no date has been set for the hearing of any motion in this case, the Rule appears to have no application whatsoever.
3. Be that as it may, the time-limits prescribed by Rule 73 may be tolled until such time as documents have been communicated to the Defence in a language of the Tribunal which it understands.<sup>2</sup> In substance, this appears to be the request of the Defence. The Chamber has been advised by the Registry that the French translation of the decision was filed, and communicated to the Defence by email, on 6 February 2004. Consequently, any deadlines prescribed by Rule 73 for filings by the Defence in relation to the Decision on Motion to Amend Indictment shall be deemed to have commenced on that date.

**FOR THE ABOVE REASONS, THE CHAMBER**

**GRANTS** the motion in part.

Arusha, 11 February 2004



Erik Møse  
Judge

[Seal of the Tribunal]



<sup>1</sup> *Simba*, Decision on Motion to Amend Indictment (19 Dec. 2003).

<sup>2</sup> See e.g. *Simba*, Decision on Urgent Motion for Extension of Time (TC), 11 December 2003, p. 2.