



ICTR-99-50-T
20-10-2004
(18633-18632)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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Awanja

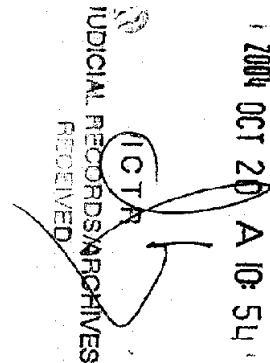
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TRIAL CHAMBER II

Before: Judge Khalida Rachid Khan, Presiding
Judge Lee Gacuiga Muthoga
Judge Emile Francis Short

Registrar: Mr. Adama Dieng

Date: 20 October 2004



The PROSECUTOR
v.
Casimir BIZIMUNGU
Justin MUGENZI
Jérôme-Clément BICAMUMPAKA
Prosper MUGIRANEZA
Case No. ICTR-99-50-T

DECISION ON CASIMIR BIZIMUNGU'S MOTION FOR EXTENSION OF TIME

Office of the Prosecutor:

Mr. Paul Ng'arua
Mr. Ibukunolu Babajide
Mr. Justus Bwonwonga
Mr. Elvis Bazawule
Mr. Shyamlal Rajapaksa

Counsel for the Defence:

Ms. Michelyne C. St. Laurent and Ms. Alexandra Marcil for Casimir Bizimungu
Mr. Howard Morrison, Q.C. and Mr. Ben Gumpert for Justin Mugenzi
Mr. Pierre Gaudreau and Mr. Michel Croteau for Jérôme-Clément Bicamumpaka
Mr. Tom Moran for Prosper Mugiraneza

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

SITTING as Trial Chamber II, composed of Judge Khalida Rachid Khan, Presiding, Judge Lee Gacuiga Muthoga and Judge Emile Francis Short, (the "Trial Chamber");

BEING SEIZED of the "*Requête de la Défense de Casimir Bizimungu en vue d'obtenir une extension de délai*" filed on 20 September 2004, (the "Motion for Extension of Time");

NOTING the "Prosecution's Response to Casimir Bizimungu's Motion for Extension of Time to File for Certification to Appeal the Trial Chamber's Decision Dated 3 September 2004" filed on 27 September 2004, (the "Response");

NOTING the "*Réplique de Casimir Bizimungu à la réponse du Procureur concernant la Requête écrite de la Défense d'obtenir une extension de délai*" filed on 30 September 2004, (the "Reply");

NOTING the "Decision on Prosecutor's Very Urgent Motion Pursuant to Rule 73bis(E) to vary the Prosecutor's List of Witnesses Filed on 25 May 2004" dated 3 September 2004, (the "Decision");

CONSIDERING that the Decision was filed on Friday 3 September 2004 and sent by fax from Court management Section to the Defence on 7 September 2004;

CONSIDERING that the Defence has brought to the attention of the Trial Chamber that it intended to file a motion for certification to appeal the impugned Decision on 13 September, namely within the time limit prescribed by Rule 73(C) of the Rules of Procedure and Evidence;

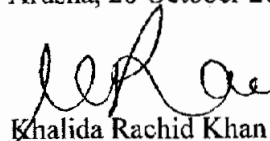
CONSIDERING that the Defence has pointed out to the Trial Chamber that it was unable to file the motion for certification to appeal due to the fact that both Counsel were travelling from Canada and did not have contact with each other;

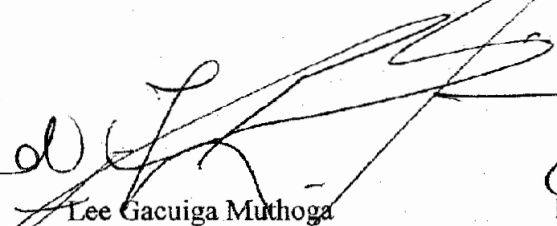
CONSIDERING FINALLY that the Defence has given sufficient reasons for its Motion for Extension of Time, the Trial Chamber is of the view that the Defence should be allowed to file a motion for certification within seven (7) days upon notification of this Decision.

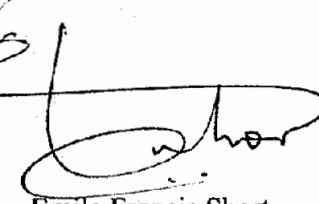
FOR THE ABOVE REASONS, THE TRIAL CHAMBER

GRANTS the Motion.

Arusha, 20 October 2004


Khalida Rachid Khan
Presiding Judge


Lee Gacuiga Muthoga
Judge


Emile Francis Short
Judge

