

ICTR-01-64-A  
15 NOVEMBER 2004  
(315/H - 316/H)

315



Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

**BEFORE THE PRE-APPEAL JUDGE**

Before: Judge Inés Mónica Weinberg de Roca, Pre-Appeal Judge  
Registrar: Mr. Adama Dieng  
Order of: 15 November 2004

ICTR Appeals Chamber  
Date: 15 November 04  
Action: PG  
Copied To: Concerned Jc

2004 NOV 17 A 11: 42  
ICTR  
JUDICIAL RECORDS ARCHIVES  
RECEIVED

Sylvestre GACUMBITSI  
v.  
THE PROSECUTOR

Parties, Judicial Arch  
LDs, LSS  
*[Signature]*

Case No. ICTR-01-64-A

**ORDER CONCERNING TRANSLATION**

Counsel for the Accused  
Me Kouengoua  
Me Anne Ngantio Mbattang  
  
Counsel for the Prosecutor  
Mr. James Stewart

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda  
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME  
COPIE CERTIFIÉE CONFORME A L'ORIGINAL PAR NOUS  
NAME / NOM: ROSETTE MUZIGO-MORRISON  
SIGNATURE: *[Signature]* DATE: 15/11/04

I, Inés Mónica Weinberg de Roca, Pre-Appeal Judge in this case,<sup>1</sup>

**NOTING** that translations of the following important documents have not yet been communicated to the Defence:

1. Prosecution's Notice of Appeal, filed on 16 July 2004;
2. Prosecution's Appellant's Brief, filed 28 September 2004;
3. Prosecution's Motion for Variation of Three Grounds in its Notice of Appeal Pursuant to Rule 108, filed 29 September 2004;

**CONSIDERING** that a representative of the Registrar indicated that the translation of these documents into French would be completed by 12 November 2004;

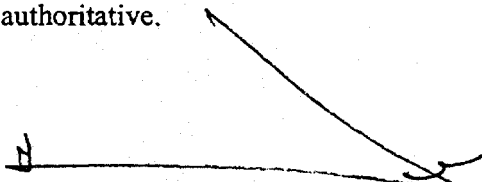
**NOTING** that Rule 108 *bis* of the Rules of Procedure and Evidence requires the Pre-Appeal Judge to ensure that the proceedings are not unduly delayed and to take measures to prepare the case for a fair and expeditious hearing;

**CONSIDERING** that the Appellant Sylvestre Gacumbitsi ("Appellant Gacumbitsi") and his counsel work in the French language and that the delay in translation is holding up the proceedings;

**REMINDING** the Appellant Gacumbitsi that it is necessary to file a motion for an extension of time when the Defence is not able to respond to a particular motion because of translation requirements;

**HEREBY ORDER** the Registrar to complete the translation of these documents and to transmit them to the Appellant Gacumbitsi and his counsel no later than 17 November 2004;

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

  
Inés Mónica Weinberg de Roca  
Pre-Appeal Judge

Done this 15<sup>th</sup> day of November 2004,  
At The Hague,  
The Netherlands.

[Seal of the International Tribunal]



<sup>1</sup> *Ordonnance portant désignation d'un juge de la mise en état en appel*, 21 September 2004.  
Case No ICTR-01-64-A