



ICTR-01-64-A
(409 bis/H - 407 bis/H)
07 April 2005

409 bis,
RMM

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

BEFORE THE PRE-APPEAL JUDGE

Before: Judge Weinberg de Roca, Pre-Appeal Judge

Registrar: Adama Dieng

Order of: 24 March 2005

SYLVESTRE GACUMBITSI

v.

THE PROSECUTOR

Case No. ICTR-01-64-A

ICTR Appeals Chamber

Date: 07 April 2005
Action:
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Parties, Judicial Arc
LOs, LSS RMM

ORDER

Counsel for the Appellant
Kouengoua
Anne Ngantio Mbattang

Office of the Prosecutor
James Stewart

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ICTR
INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA
ARCHIVES

I, Inés Mónica Weinberg de Roca, Pre-Appeal Judge in the present matter,¹

CONSIDERING the “*Requête en extrême urgence*” filed confidentially by the Appellant, Sylvestre Gacumbitsi, on 22 March 2005 (the “Motion” and the “Appellant”), wherein the Appellant requests the Pre-Appeal Judge (i) to order the Registry to renew, for a period of six months, the contract of the Legal Assistant assigned to the Appellant; (ii) to order the Registry to allocate 100 additional hours to his co-Counsel; and (iii) to order that the time limit for filing the reply brief should start to run only from notification of renewal of the contracts of the Legal Assistant and co-Counsel;²

WHEREAS it is not necessary to await the expiry of the time-limit for filing a reply before ruling on the Motion;

WHEREAS at the status conference held on 8 March 2005, the Registry undertook to process by 11 March 2005, at the latest, the oral request by the Appellant for the renewal of the contract of his Legal Assistant,³ but whereas the Registry has still not processed the request for renewal of the contract of the Appellant’s Legal Assistant;

WHEREAS at the same status conference, it was explained to Lead Counsel for the Appellant that the request for allocation of additional hours to co-Counsel could not be addressed at the conference, that such request should be made in writing to the Registry, and that any appeal against the Registry decision should comply with the official procedure;⁴

WHEREAS at the same status conference, the Appellant requested and obtained an extension of the time-limit for filing the reply brief until 23 March 2005;⁵

WHEREAS the Appellant has not demonstrated any unforeseen changes since the status conference held on 8 March 2005 to justify further extension of the time-limit for filing the reply brief;⁶

FOR THE FOREGOING REASONS:

ORDER the Registry to process, no later than 29 March 2005, the Appellant’s request for renewal of the contract of his Legal Assistant;

¹ Order appointing a Pre-Appeal Judge, 21 September 2004.

² Motion, p. 2.

³ Transcript of the Status Conference held on 8 March 2005 (English version), p. 7.

⁴ *Ibid.*, pp. 5-6.

⁵ *Ibid.*, pp. 2-3.

⁶ In this regard, the fact that the Registry has not yet processed the request for renewal of the Legal Assistant’s contract is not a reason for an extension considering that, as far as the Appellant is concerned, the issue of renewal of the Legal Assistant’s contract was distinct from that of extension of the time-limit for filing the reply brief: Transcript of the status conference held on 8 March 2005 (English version), p. 2.

ORDER the Appellant to file his reply brief no later than 29 March 2005.

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

Done on 24 March 2005 at The Hague (The Netherlands)

Inés Mónica Weinberg de Roca
Pre-Appeal Judge

[Seal of the International Tribunal]

