



UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

ICTR-98-44-T
2-2-2006
(25212 - 25211)

25212
Denny

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Emile Francis Short
Gberdao Gustave Kam

Registrar: Adama Dieng

Date: 2 February 2006

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Cham

THE PROSECUTOR

v.

Édouard KAREMERA
Mathieu NGIRUMPATSE
Joseph NZIRORERA

Case No. ICTR-98-44-T

**DECISION GRANTING EXTENSION OF TIME TO REPLY TO
THE PROSECUTION'S RESPONSE TO NZIRORERA'S *EX PARTE* MOTION FOR
ORDER FOR INTERVIEW OF DEFENCE WITNESS NZI**

Office of the Prosecutor:
Don Webster
Gregory Lombardi
Iain Morley
Gilles Lahaie
Sunkarie Ballah-Conteh
Takeh Sendze

Defence Counsel for Édouard Karemera
Dior Diagne Mbaye and Félix Sow

Defence Counsel for Mathieu Ngirumpatse
Chantal Hounkpatin and Frédéric Weyl

Defence Counsel for Joseph Nzirorera
Peter Robinson and Patrick Nimy Mayidika Ngimbi

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

SITTING as Trial Chamber III, composed of Judges Dennis C. M. Byron, Presiding, Emile Francis Short, and Gberdao Gustave Kam ("Chamber");

BEING SEIZED of "Joseph Nzirorera's Motion for Extension of Time to File Reply to Prosecutor's Response to Nzirorera's *Ex Parte* Motion for Order for Interview of Defence Witness NZ1" ("Motion for Extension"), filed on 1 February 2006;

RECALLING "Joseph Nzirorera's *Ex Parte* Motion for Order for Interview of Defence Witness NZ1" ("Original Motion") and "*Ex Parte* Annex to Joseph Nzirorera's *Ex Parte* Motion for Order for Interview of Defence Witness NZ1" ("*Ex Parte* Annex"), filed on 23 January 2006 and the Prosecution's Response thereto filed on 26 January 2006;

RECALLING the "Motion for Order Concerning Unlawful Disclosure of Confidential *Ex Parte* Defence Filing and for Stay of Proceedings" ("Motion for Order and Stay of Proceedings"), filed by the Defence for Joseph Nzirorera ("Defence") on 30 January 2006, which alleges that the Registrar improperly disclosed the *Ex Parte* Annex to the Prosecution;

CONSIDERING the Chamber's Order concerning the Motion for Order and Stay of Proceedings requesting submissions from the Registrar including an explanation of the circumstances of the disclosure by 3 February 2006;¹

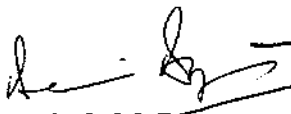
CONSIDERING Joseph Nzirorera's argument that he wishes the matter regarding the Registrar and confidentiality be addressed and remedied before he submits newly acquired information to the Chamber regarding his Original Motion;

CONSIDERING that an extension of time allowing the Defence to Reply will not affect the scheduling in this matter and, in the particular circumstances of the case, is warranted;

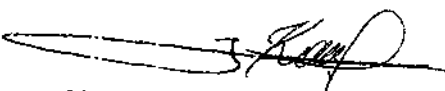
THE CHAMBER HEREBY

- I. **GRANTS** the Defence Motion for Extension; and
- II. **ORDERS** the Defence to file its Reply to the Prosecutor's Response to Nzirorera's *Ex Parte* Motion for Order for Interview of Defence Witness NZ1 no later than 5 days after a decision is filed on the Motion for Order and Stay of Proceedings.

Arusha, 2 February 2006, done in English


Dennis C. M. Byron
Presiding




Gberdao Gustave Kam
Judge

¹ *Prosecutor v. Édouard Karemera, Mathieu Ngirumpatse and Joseph Nzirorera*, Case No. ICTR-98-44-T, Order for the Registrar's Submission on the Defence Motion for Order Concerning Unlawful Disclosure of Confidential *Ex Parte* Defence Filing and for Stay of Proceedings (TC), 1 February 2006.