

1331/H



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda
ICTR-98-44-AR73.7
24 March 2006
(1331/H - 1330/H)

EV

IN THE APPEALS CHAMBER

Before: Judge Liu Daqun, Presiding
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Theodor Meron
Judge Wolfgang Schomburg

Registrar: Mr. Adama Dieng

Decision of: 24 March 2006

ICTR Appeals Chamber
Date: *24 March 2006*
Action: *RJ*
Copied To: *Sy Prof of Sec*
JL

PROSECUTOR

v.

**Édouard KAREMERA
Mathieu NGRUMPATSE
Joseph NZIRORERA**

Case No. ICTR-98-44-AR73.7

27-03-2006

Decision on Request for Extension of Time

Office of the Prosecutor:

Mr. Hassan Bubacar Jallow
Mr. James Stewart
Mr. Don Webster
Ms. Linda Bianchi

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: *KOFFI KUMECIO A. AFRANDE*
SIGNATURE: *[Signature]* DATE: *24 March 2006*

Counsel for the Defence:

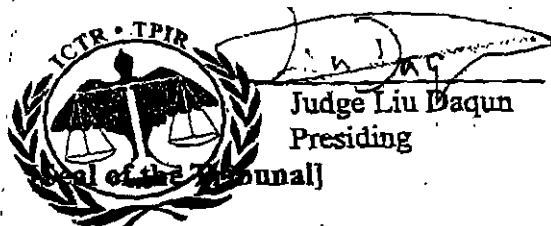
Ms. Dior Diagne Mbaye and Mr. Félix Sow for Édouard Karemera
Ms. Chantal Hounkpatin and Mr. Frédéric Weyl for Mathieu Ngirumpatse
Mr. Peter Robinson and Mr. Patrick Nimy Mayidika Ngimbi for Joseph Nzirorera

1330/H

1. The Appeals Chamber of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Serious Violations Committed in the Territory of Neighbouring States, between 1 January and 31 December 1994 ("Appeals Chamber" and "Tribunal", respectively) is seized of the "Prosecutor's Interlocutory Appeal of the Trial Chamber's Decision Given Orally on 16 February 2006 Regarding the Role of the Electronic Disclosure Suite in Discharging the Prosecution's Disclosure Obligations", filed on 6 March 2006 ("Appeal"). The Appeals Chamber is also presently seized of a request for an extension of time to reply to the Appeal pending the translation of the Prosecution's submissions into French, filed by Mathieu Ngirumpatse ("Motion for Extension of Time").¹
2. Rule 116 of the Rules of Procedure and Evidence of the Tribunal allows for extensions of time upon a showing of good cause. As the Appeals Chamber has observed, counsel for Mr. Ngirumpatse work in French and not in English.² It is clear that, in order to be able to make a full answer to the Appeal, he needs access to French translations of the Appeal itself. The Appeals Chamber has recently determined in similar circumstances in this case that this constitutes good cause.³ Although the Prosecution objects to Mr. Ngirumpatse's request,⁴ the joint nature of the trial and the breadth of the Appeal necessitate the granting of a reasonable delay to allow for translation for his benefit.
3. For the foregoing reasons, the Motion for Extension of Time is GRANTED. The Registry is DIRECTED to provide to Mr. Ngirumpatse and his counsel, on an urgent basis, French translations of the Appeal and the present decision. Starting from the date on which the last of these translated documents is transmitted, Mr. Ngirumpatse will be permitted 10 days to file his response, if any, to the Appeal.

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

Done this 24th day of March 2006,
At The Hague,
The Netherlands.



¹ *Requête de M. Ngirumpatse aux fins d'extension du délai de réponse sur le Prosecutor's Interlocutory Appeal of the Trial Chamber's Decision Given Orally on 16 February regarding the Role of the Electronic Disclosure Suite in Discharging the Prosecution's Disclosure Obligations*, filed 10 March 2006.

² *The Prosecutor v. Édouard Karemera et al.*, Case No. ICTR-98-44-AR116, Decision on Request for Extension of Time, 27 January 2006, para. 4.

³ *Karemera et al.*, Decision on Request for Extension of Time, para. 4.

⁴ In response, the Prosecution argues that translation is unnecessary because counsel for Mr. Ngirumpatse did not specify in his motion that he could not work in English, Mr. Ngirumpatse did not file the original motion underlying the impugned decision, and he has a related request for certification pending. See *Réponse du Procureur à la Requête de M. Ngirumpatse aux fins d'extension du délai de réponse sur la Prosecutor's Interlocutory Appeal of the Trial Chamber's Decision Given Orally on 16 February regarding the Role of the Electronic Disclosure Suite in Discharging the Prosecution's Disclosure Obligations*, filed 14 March 2006, paras. 3-5.