



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

IC 1R-98-41-T  
19-05-2006  
(27463-27462)

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S. M. M. M.

TRIAL CHAMBER I

**Before:** Judge Erik Møse, presiding  
Judge Jai Ram Reddy  
Judge Sergei Alekseevich Egorov

**Registrar:** Adama Dieng

**Date:** 19 May 2006

THE PROSECUTOR

v.

Théoneste BAGOSORA

Gratien KABILIGI

Aloys NTABAKUZE

Anatole NSENGIYUMVA

Case No. 1-ICTR-98-41-T

2006 MAY 19 PM 12:48  
ICTR  
JUDICIAL RECORDS DEPARTMENT

DECISION ON NTABAKUZE DEFENCE MOTION REQUESTING  
EXTENSION OF TIME TO FILE A REPLY

**The Prosecution**

Barbara Mulvaney  
Drew White  
Christine Graham  
Rashid Rashid

**The Defence**

Raphaël Constant  
Allison Turner  
Paul Skolnik  
Frédéric Hivon  
Peter Erlinder  
André Tremblay  
Kennedy Ogetto  
Gershom Otachi Bw'Omanwa

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**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

**SITTING** as Trial Chamber I, composed of Judge Erik Møse, presiding, Judge Jai Ram Reddy, and Judge Sergei Alekseevich Egorov;

**BEING SEIZED OF** the Ntabakuze Defence "Ancillary Motion for Extension of Time", filed on 18 May 2006;

**HEREBY DECIDES** the motion

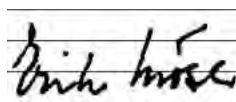
1. The Ntabakuze Defence has filed a motion for exclusion of evidence falling outside the scope of the Indictment of the Accused.<sup>1</sup> The Prosecution has filed its Response<sup>2</sup> and an annex thereto.<sup>3</sup> On 15 May 2006, the Ntabakuze Defence replied to the Prosecution Response and its annex, indicating that a further Ntabakuze reply would be forthcoming on 22 May 2006.<sup>4</sup> The Ntabakuze Defence now notifies the Chamber that, due to logistical complications, the reply will require four days longer than originally anticipated. In the alternative, if the Chamber believes that the Rules of Procedure and Evidence ("the Rules") prescribe a deadline for filing a reply, the Ntabakuze Defence requests an extension until 26 May 2006 to file its reply.

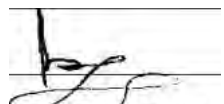
2. The Rules make no mention of replies and their consideration by the Chamber is a matter of discretion. There is no basis to request extension of a deadline which does not exist. However, the Chamber has taken cognizance of the situation described in the Ntabakuze notification.

**FOR THE ABOVE REASONS, THE CHAMBER**

**DENIES** the motion.

Arusha, 19 May 2006

  
Erik Møse  
Presiding Judge

  
Jai Ram Reddy  
Judge

  
Sergei Alekseevich Egorov  
Judge

[Seal of the Tribunal]



<sup>1</sup> Ntabakuze Defence motion for the Exclusion of Evidence of Allegations Falling Outside the Scope of the Indictment, 28 March 2006.

Prosecutor's Response to Ntabakuze Defence Motion, etc., 8 May 2006.

Part III Annex to Prosecutor's Response, etc., 12 May 2006.

<sup>3</sup> Ntabakuze Reply to Prosecutor's Response, etc., 15 May 2006.