



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

374/H

ICTR-01-76-A
11 September 2006
(374/H -372/H)

BEFORE THE PRE-APPEAL JUDGE

Before: Judge Liu Daqun, Pre-Appeal Judge

Registrar: Mr. Adama Dieng

Order of: 11 September 2006

2006 SEP 12 A 11:46
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THE PROSECUTOR

v.

Aloys SIMBA

ICTR Appeals Chamber
Date: 11 September 06
Action: R.J.
Copied To: Concerned Judge
Parties, LOS, LOS, LOS, &
Archives

Case No. ICTR-01-76-A

**ORDER ALLOWING AN EXTENSION OF TIME FOR THE
RESPONDENT'S FILINGS**

Office of the Prosecutor

Mr. James Stewart
Ms. Dior Fall
Mr. George William Mugwanya
Ms. Inneke Onsea
Ms. Evelyn Kamau

Counsel for Aloys Simba

Mr. Sadikou Ayo Alao
Mr. Wenceslas de Souza

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
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NAME / NOM: Tchidimbo, Patrice
SIGNATURE: [Signature] DATE: 11/09/06

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I, LIU DAQUN, Judge of 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 Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994 ("Tribunal") and Pre-Appeal Judge in this case;¹

NOTING the "Prosecutor's Urgent Motion Objecting to '*Mémoire de la Défense*'", filed on 8 September 2006 ("Motion"), in English, by the Office of the Prosecutor ("Prosecution");

RECALLING that pursuant to Paragraph 11 of the Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings Before the Tribunal, of 16 September 2002, Counsel for Aloys Simba ("Respondent") has 10 days to respond to the Motion;

CONSIDERING that the language understood and spoken by the Respondent and his Counsel is French and that, in order to be able to make a full response to the Prosecution's submissions, the Respondent needs the French translation of the Motion;

CONSIDERING FURTHER that the Respondent has consistently argued that its ability to make full answer to Prosecution filings depends on their availability in French;²

CONSIDERING that the interests of justice and fairness warrant an extension of time pending the translation of the Motion;

FOR THE FOREGOING REASONS,

ALLOW the Respondent to file a response, if any, to the Motion no later than 10 days from the date of service to the Respondent of its French translation;

AND ALLOW the Respondent a suspension of time limits for the filing of a response or reply to documents filed by the Prosecution in English until the date of service of the French translations of those documents.

¹ See Order Appointing a Pre-Appeal Judge, 24 January 2006.

² Decision on Respondent's Motion for Extension of Time, 13 April 2006 ("Second Decision on Extension of Time"); Decision on Registrar's Request for Extension of Time for Filing an Official Translation of the Trial Judgement, 25 January 2006 ("Decision on the Registrar's Request"); see also Decision on Motion for Extension of Time for Filing of Notice of Appeal, 16 December 2005 ("First Decision on Extension of Time"); Decision on Defence Motion for Extension of Time to Respond to the Prosecutor's Appellant's Brief, 20 June 2006.

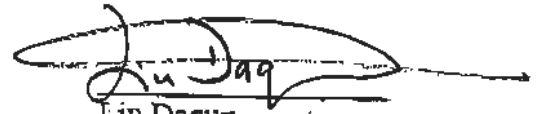
372/H

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

Done this 11th day of September 2006,
At The Hague,
The Netherlands.



[Seal of the Tribunal]


Lin Daqun
Pre-Appeal Judge