



**Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda**

IN THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge Fausto Pocar
Judge Liu Daqun
Judge Andrézia Vaz
Judge Carmel Agius

Registrar: Mr. Adama Dieng

Decision of: 27 August 2009

JUVÉNAL KAJELIJELI

v.

THE PROSECUTOR

Case No. ICTR-98-44A-R

DECISION ON REQUEST FOR EXTENSION OF TIME

The Applicant:

Mr. Juvénal Kajelijeli, *pro se*

Office of the Prosecutor:

Mr. Hassan Bubacar Jallow
Mr. Alex Obote-Odora

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 Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994 (“Tribunal”, and “Appeals Chamber”, respectively) is seized of the motion for assignment of counsel filed by Juvénal Kajelijeli on 26 June 2009 in connection with an anticipated request for review.¹ As the Prosecution responded in English,² Mr. Kajelijeli requests an extension of time to file his reply, pending receipt of a French translation of the Response.³ The Prosecution has not responded to this request. This decision concerns Mr. Kajelijeli’s request for an extension of time.

2. Mr. Kajelijeli was the bourgmestre of Mukingo Commune in Ruhengeri Prefecture from 1988 to 1993 and again from late June to mid-July 1994.⁴ On 23 May 2005 the Appeals Chamber affirmed his convictions, pursuant to Article 6(1) of the Statute, on three counts of genocide, direct and public incitement to commit genocide, and extermination as a crime against humanity and entered a single sentence of 45 years of imprisonment.⁵ Mr. Kajelijeli is currently serving his sentence in Benin.

3. The Appeals Chamber may grant a motion to extend a time limit upon a showing of good cause, pursuant to Rule 116(A) of the Rules of Procedure and Evidence of the Tribunal. The Appeals Chamber accepts that, because Mr. Kajelijeli does not understand English,⁶ and is not represented by counsel, he requires a French translation of the Response in order to prepare his reply. Accordingly, the Appeals Chamber is satisfied that good cause exists in the particular circumstances of this case.⁷

¹ *Requête de Juvénal [sic] Kajelijeli aux fins de commission d'office d'un Conseil pour l'assister dans la préparation de la procédure de révision ainsi que dans l'ouverture d'un dossier de poursuite pour faux témoignage contre les témoins du Procureur GDD, GAP, GAO, GDQ, GBG, GBH, GBE et GBV. Aussi mettre en cause ACM*, 26 June 2009.

² Prosecutor’s Response to Kajelijeli’s Request for Assignment of Counsel, 6 July 2009.

³ *Requête de Juvénal [sic] Kajelijeli aux fins de traduction de la réponse du procureur du 07 juillet 2009, en opposition à sa requête de commission [sic] d'un avocat et d'ouverture d'un dossier de poursuite pour faux témoignage contre les témoins du Procureur GDD, GAP, GAO, GDQ, GBG, GBH, GBE et GBV*, 21 July 2009 (“Request”).

⁴ See *Juvénal Kajelijeli v. The Prosecutor*, Case No. ICTR-98-44A-A, Judgement, 23 May 2005 (“*Kajelijeli Appeal Judgement*”), para. 2.

⁵ *Kajelijeli Appeal Judgement*, paras. 3, 325. The Appeals Chamber overturned the sentences of two terms of life imprisonment and one term of fifteen years’ imprisonment imposed by Trial Chamber II on 1 December 2003. See *The Prosecutor v. Juvénal Kajelijeli*, Case. No. ICTR-98-44A-T, 1 December 2003, Trial Judgement, paras. 968, 969; *Kajelijeli Appeal Judgement*, para. 325.

⁶ Request, para. 4.

⁷ See, e.g., *Protais Zigiranyirazo v. The Prosecutor*, Case No. ICTR-01-73-A, Decision on Protais Zigiranyirazo’s Motion for an Extension of Time for the Filing of the Reply Brief, 3 July 2009, para. 5; *Édouard Karemera et al. v. The Prosecutor*, Case No. ICTR-98-44-AR73.16, Decision on Requests for Extension of Time, 24 March 2009, para. 4.

4. For the foregoing reasons, the Appeals Chamber **GRANTS** the Request and **ORDERS** Mr. Kajelijeli to submit his reply within four days of the filing of the French translation of the Response.

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

Done this 27th day of August 2009,
at The Hague,
The Netherlands.

Judge Patrick Robinson
Presiding

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