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Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

ICTR-2001-70-A
20th October 2009
{104/H – 102/H}

IN THE APPEALS CHAMBER

Before:

Judge Mehmet Güney, Pre-Appeal Judge

Registrar:

Mr. Adama Dieng

Decision of:

19 October 2009

ICTR Appeals Chamber
Date: 20th October 2009
Action: R. Juvana
Copied To: Concerned Judges,
Parties, Judicial Archives,
LDs, LSS

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JUDICIAL RECORDS ARCHIVES
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THE PROSECUTOR

v.

EMMANUEL RUKUNDO

Case No. ICTR-2001-70-A

DECISION ON MOTION FOR EXTENSION OF TIME

Office of the Prosecutor:

Counsel for Mr. Emmanuel Rukundo

Mr. Hassan Bubacar Jallow
Mr. Alex Obote-Odora
Ms. Christine Graham
Ms. Linda Bianchi
Mr. Alfred Orono Orono

Ms. Aïsha Condé
Mr. Benoît Henry

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF ORIGINAL AS SEEN BY ME
COPIE CERTIFIÉE CONFORMÉ À L'ORIGINAL PAR NOUS
NAME / NOM: *KIFFEL... RUMELWA... A... A. FAYRE*
SIGNATURE: *[Signature]* DATE: 20 Oct. 2009

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I, **Mehmet GÜNEY**, 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 and 31 December 1994 (“Tribunal”), and Pre-Appeal Judge in this case,

BEING SEIZED OF an “Extremely Urgent Motion Requesting Clarification to the Decision on Motions for Extension of Time of 25 March 2009”, filed on 6 October 2009 (“Motion”) by Emmanuel Rukundo (“Applicant”);

NOTING that Trial Chamber II of the Tribunal pronounced its judgement in the case of *The Prosecutor v. Emmanuel Rukundo* on 27 February 2009 and issued its reasoned opinion in writing in English on 13 March 2009 (“Trial Judgement”);

NOTING that the French translation of the Trial Judgement was filed on 6 October 2009;

NOTING that the “Prosecutor’s Notice of Appeal” and “Prosecutor’s Appellant’s Brief” were filed on 14 April 2009 and 14 May 2009, respectively;

RECALLING that on 25 March 2009, I ordered that the Applicant file “his Respondent’s brief no later than thirty (30) days or forty (40) days from the filing of a French version of the Prosecution’s Appellant’s Brief depending on whether the Prosecution’s appeal is limited solely to sentencing”;¹

NOTING that the French translation of the Prosecutor’s Appellant’s Brief was filed on 10 September 2009 and that as the Prosecution’s appeal pertained solely to sentencing, the Respondent’s Brief should have been filed within thirty days from this date;

CONSIDERING the Applicant’s submission that as the French translation of the Trial Judgement was not available when he received the French translation of the Prosecution’s Appellant’s Brief, he requests a variation of the Decision of 25 March 2009 to allow for the prescribed time-period to run from the date of the filing of the French translation of the Trial Judgement;²

FURTHER CONSIDERING that on 12 October 2009, the Applicant filed his “*Réponse de l’Intimé Emmanuel Rukundo à l’ Appel du Procureur de la peine imposée par Jugement rendu le 27 Février 2009*”, within the time-limit prescribed in the Decision of 25 March 2009;

¹ Decision on Motions for Extension of Time, 25 March 2009, (“Decision of 25 March 2009”), p. 4.

² Motion, pp. 2, 3.

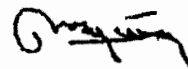
FOR THE AFOREMENTIONED REASONS,

FIND the Motion moot.

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

Done this 19 day of October 2009,

At The Hague, The Netherlands



Judge Güney

Pre-Appeal Judge

