



UNITED NATIONS  
NATIONS UNIES

ICTR-97-36A-T 1101  
02-12-2009 1001  
(1101-1099)  
International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR: ENG

**TRIAL CHAMBER I**

**Before Judges:** Florence Rita Arrey, Presiding  
Mparany Mamy Richard Rajohnson  
Aydin Sefa Akay

**Registrar:** Adama Dieng

**Date:** 02 December 2009

**THE PROSECUTOR**

v.

**Yussuf MUNYAKAZI**

*Case No. ICTR-97-36A-T*

2009 DEC 2 A 8:18  
JUDICIAL RECORDS/ARCHIVES  
RECEIVED

**DECISION ON DEFENCE EXTREMELY URGENT MOTION FOR EXTENSION  
OF TIME LIMIT TO FILE ITS CLOSING BRIEF**

**Office of the Prosecutor:**

Richard Karegyesa  
Segun Jegede  
Didace Nyirinkwaya  
Denis Mabura

**Counsel for the Defence**

Jwani Mwaikusa  
Barnabé Nekuie  
Etienne Mutabazi  
Malien Habyarimana  
André Nteziriraza

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## INTRODUCTION

1. On 14 October 2009, the Trial Chamber ordered the parties to file their closing briefs on or before 7 December 2009.<sup>1</sup>
2. On 01 December 2009, the Defence filed a motion asking the Chamber to extend the time limit within which to file the Defence closing Brief.<sup>2</sup> The Defence submits that Lead Counsel has suffered exceptional and difficult personal circumstances over the last month,<sup>3</sup> and that he has been under considerable stress thus impairing his concentration and work.<sup>4</sup> The Defence notes that that the team has been working on the submissions, but that Lead Counsel will need time to review the work and add to it.<sup>5</sup> The Defence requests an extension of 7 (seven) working days, meaning that it would file its brief on 16 December 2009.<sup>6</sup>
3. The Prosecution has indicated informally that it has no objections to the Defence Motion.

## DELIBERATIONS

4. The Trial Chamber notes that Lead Counsel has provided details of a series of grave circumstances that have befallen his family within the last month, and that these circumstances were not foreseeable. The Trial Chamber also observes that the Prosecution has indicated that it does not object to the Defence Motion. The Trial Chamber considers that the Defence has demonstrated the existence of exceptional circumstances, and that granting the Defence Motion would be in the interests of justice. The Trial Chamber also finds that the extension of time requested by the Defence is not unreasonable and would not delay the expeditious conduct of the proceedings.

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<sup>1</sup> Transcript of 14 October 2009, p. 19.

<sup>2</sup> *Prosecutor v. Munyakazi*, ICTR-97-36-A-I, Defence extremely urgent motion for extension of time limit to file its Closing Brief, 01 December 2009. ("Motion")

<sup>3</sup> Motion, paras 2-5

<sup>4</sup> Motion, para 6

<sup>5</sup> Motion, para 7

<sup>6</sup> Motion, para 8

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**ACCORDINGLY, THE CHAMBER**

**GRANTS THE MOTION AND ORDERS**

- 1) that the parties file their closing briefs by close of business on 16 December 2009;

**CLARIFIES**

- 2) that the Oral arguments are scheduled for Thursday 28 and Friday 29 January 2010.<sup>7</sup>

Arusha, 02 December 2009, done in English.



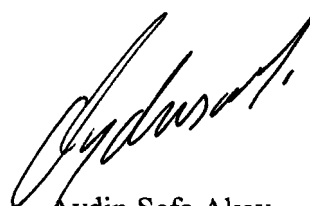
Florence Rita Arrey

Presiding Judge



Mparany Mamy Richard  
Rajohnson

Judge



Aydin Sefa Akay

Judge

[Seal of the Tribunal]



<sup>7</sup> Transcript of 14 October 2009, page 19. The Chamber scheduled the oral arguments for 29 and 30 January 2010.