



UNITED NATIONS
NATIONS UNIES

ICTR-98-44-T
30-06-2010
(51616-51615)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

51616
Ⓟ

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Gberdao Gustave Kam
Vagn Joensen

Registrar: Adama Dieng

Date: 30 June 2010

THE PROSECUTOR

v.

**Édouard KAREMERA
Matthieu NGIRUMPATSE
Joseph NZIRORERA**

Case No. ICTR-98-44-T

JUDICIAL RECORDS/ARCHIVES
RECEIVED

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**DECISION ON WITHDRAWAL OF PENDING MOTIONS AND
REASONS FOR DECISION ON EXTENSION OF TIME TO FILE AFFIDAVIT**

Office of the Prosecution:
Don Webster
Sunkarie Ballah-Conteh
Takeh Sendze
Jean Baptist Nsanzimfura

Defence Counsel for Édouard Karemera
Dior Diagne Mbaye and Félix Sow

Defence Counsel for Matthieu Ngirumpatse
Chantal Hounkpatin and Frédéric Weyl

Defence Counsel for Joseph Nzirorera
Peter Robinson and Patrick Nimy Mayidika Ngimbi

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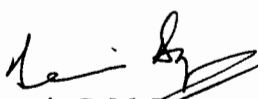
1. On 8 June 2010, the Chamber asked Peter Robinson, Joseph Nzirorera's Lead Counsel, to submit an affidavit by no later than the close of business on 18 June 2010 showing cause as to why he should not be held in contempt for his failure to comply with directives from the Chamber.¹ On 17 June 2010, Robinson submitted a motion for an extension of time to file the affidavit ("Motion").² Due to the urgency of the issue, the Chamber communicated to the Parties through the Tribunal's Court Management Section on the afternoon of 17 June 2010 that the Motion was denied and that written reasons would follow shortly.
2. On 28 June 2010, Joseph Nzirorera withdrew his Application for Certification to Appeal regarding the Arrest of Peter Erlinder and for Stay of Proceedings Pending Appeal³ and the Motion for Appointment of Independent Counsel.⁴ Given that Nzirorera has withdrawn these motions, the Chamber considers these matters moot.
3. With respect to the Motion, the Chamber gave full consideration to all the arguments raised by Peter Robinson and Joseph Nzirorera. In the interests of justice, the Chamber did not grant the requested extension of time.

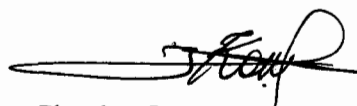
FOR THESE REASONS, THE CHAMBER

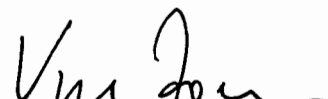
DENIED Peter Robinson's Motion on 17 June 2010; and

DECLARES MOOT Joseph Nzirorera's Motion for Certification to Appeal Regarding the Arrest of Peter Erlinder and for Stay of Proceedings and Josephs Nzirorera's Motion for an Appointment of Independent Counsel.

Arusha, 30 June 2010 done in English.


Dennis C. M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge



¹ T. June 8 2010, p. 5.

² Motion for Extension of Time to File Affidavit, filed on 17 June 2010 ("Motion").

³ Joseph Nzirorera's Application for Certification to Appeal re: Arrest of Peter Erlinder and for Stay Pending Appeal, filed on 14 June 2010.

⁴ Joseph Nzirorera's Motion for Appointment of Independent Counsel, filed on 17 June 2010; Joseph Nzirorera's Withdrawal of Pending Motions, filed on 28 June 2010.