



UNITED NATIONS
NATIONS UNIES

ICTR-98-44D-T
13-10-2010
(5087-5086)

5087
Lwan

OR: ENG

TRIAL CHAMBER III

Before Judges: Solomy Balungi Bossa, Presiding
Bakhtiyar Tuzmukhamedov
Mparany Rajohnson

Registrar: Adama Dieng

Date: 13 October 2010

THE PROSECUTOR

v.

Callixte NZABONIMANA
Case No. ICTR-98-44D-T

2010 OCT 13 P 3: 02
JUDICIAL RECORDS/ARCHIVES
RECEIVED
[Signature]

**DECISION ON PROSECUTOR'S REQUEST FOR EXTENSION OF TIME TO
RESPOND TO NZABONIMANA'S MOTION FOR THE VARIATION OF ITS GLOBAL
LIST OF WITNESSES AND FOR RECONSIDERATION OF CERTAIN DECISIONS
PERTAINING TO THE SCOPE OF DEFENCE WITNESS TESTIMONY UNDER RULE
73 TER (E) OF THE RULES OF PROCEDURE AND EVIDENCE**

Office of the Prosecutor
Paul Ng'arua
Memory Maposa
Simba Mawere
Mary Diana Karanja

Defence Counsel
Vincent Courcelle-Labrousse
Philippe Laroche

[Handwritten mark]

5086

1. On 7 October 2010, the Defence filed a motion seeking various amendments to what it characterised as its "Global List of Witnesses", as well as its "list of witnesses to be heard by the Trial Chamber".¹
2. On 11 October 2010, the Prosecution filed a request for an extension of time to file a response to the motion.²
3. The Trial Chamber, having inspected the Defence motion, finds that translation issues and the complexity of the issues raised warrant a modest extension of the deadline to respond.
4. However, the Chamber finds that the Prosecution has not adequately demonstrated how its request for a significant extension of one month is warranted. Moreover, the Prosecution provides no reasoned submission for its request to address the matter of T150's testimony by way of oral submission before the Trial Chamber.
5. For these reasons, the Trial Chamber concludes that it is in the interests of justice to allow the Prosecution until close of business Friday, 15 October 2010, to file a response to the Defence motion. However, the request to make oral submissions regarding T150 is denied.

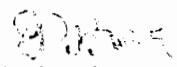
FOR THESE REASONS, THE CHAMBER

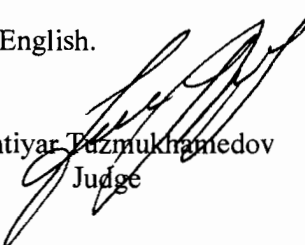
GRANTS the Prosecution request in part;

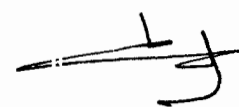
ALLOWS the Prosecution to file its response to the Defence motion no later than Friday, 15 October 2010;

DENIES the remainder of the Prosecution request.

Arusha, 13 October 2010, done in English.


Solomy Balungi Bossa
Presiding Judge


Bakhtiyar Tuzmukhamedov
Judge


Mparany Rajohnson
Judge

[Seal of the Tribunal]

¹ *Prosecutor v. Nzabonimana*, ICTR-98-44D, Nzabonimana's Motion for the Variation of its Global List of Witnesses and for Reconsideration of Certain Decisions Pertaining to the Scope of Defence Witnesses Testimony under Rule 73ter (E) of the Rules of Procedure and Evidence ("Motion"), 7 October 2010.

² *Prosecutor v. Nzabonimana*, ICTR-98-44D, Prosecutor's Request for Extension of Time to Respond to Nzabonimana's Motion for the Variation of its Global List of Witnesses and for Reconsideration