



UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

ICTR-98-440-T
26-01-2011
(5540-5539)

5540
AM

OR: ENG

TRIAL CHAMBER III

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

Registrar: Adama Dieng

Date: 26 January 2011

JUDICIAL RECORDS ARCHIVER
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THE PROSECUTOR

v.

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

**DECISION ON DEFENCE REQUEST FOR EXTENSION OF TIME TO RESPOND TO
"PROSECUTOR'S MOTION FOR PROHIBITION OF CONDUCT CONTARY [SIC] TO
RULE 77 (A) (II) 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 Larochelle

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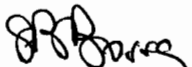
1. On 19 November 2010, the Trial Chamber issued a decision in which it re-appointed an *amicus curiae* to investigate allegations of contempt against Defence investigator Jean-Claude Misano, with a deadline to render its report by 3 March 2011.¹
2. On 20 January 2011, the Prosecution filed a motion seeking an extension of the *amicus curiae*'s mandate to include "other members of the Defence team who might have revealed protected information" in violation of measures imposed by this Trial Chamber.²
3. On 25 January 2011, the Defence filed a request for an extension of time until 28 January 2011 to respond to the motion, citing a need to consult with relevant professional bodies, as well as the Registrar of the Tribunal.³
4. The Trial Chamber wishes to underscore that it appreciates the gravity of the allegations contained in the Prosecution's motion, which if ultimately proven true, would seriously impair the ability of the Accused to defend himself against the crimes charged in the Indictment.
5. For these reasons, the Trial Chamber finds that it is in the interests of justice to grant the Defence request for an extension of time to file a response to the Prosecution motion.

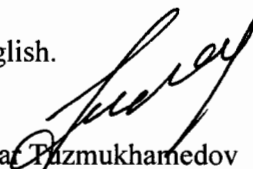
FOR THESE REASONS, THE CHAMBER

GRANTS the Defence request;

ALLOWS the Defence to file its response to the Prosecution motion no later than Friday, 28 January 2011;

Arusha, 26 January 2011, done in English.


Solomy Balungi Bossa
Presiding Judge


Bakhtiyar Tuzmukhamedov
Judge


Mparany Rajohnson
Judge



¹ *Prosecutor v. Nzabonimana*, ICTR-98-44D-T, Decision on Report of Amicus Curiae on Investigations Related to the Disclosure of Prosecution Witnesses CNAL and CNAE, 19 November 2010, p. 11.

² *Prosecutor v. Nzabonimana*, ICTR-98-44D-T, Prosecutor's Motion for Prohibition of Conduct Contrary to Rule 77 (A) (ii) of the Rules of Procedure and Evidence, 20 January 2011, para. 29.

³ Letter from Vincent Courcelle-Labrousse to Trial Chamber dated 25 January 2011.