



UNITED NATIONS
NATIONS UNIES

ICTR-01-75-I
10-03-2011
(2726-2725)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

2726
Friday

OR: ENG

TRIAL CHAMBER III

Before: Judge Vagn Joensen
(Designated pursuant to Rule 73(A))

Registrar: Mr. Adama Dieng

Date: 10 March 2011

THE PROSECUTOR
v.
Jean UWINKINDI

Case No. ICTR-01-75-I

Handwritten signature and vertical stamp: 10 MARCH 2011

**DECISION ON DEFENCE MOTION FOR EXTENSION OF TIME FOR FILING OF A
REQUEST FOR CERTIFICATION TO APPEAL THE DECISION OF 9 MARCH 2011**

Office of the Prosecutor:
Mr. Richard Karegyesa
Mr. James J. Arguin
Mr. Rashid Rashid
Mr. Sharifah Adong

For the Defence:
Mr. Claver Sindayigaya
Mr. Iain Edwards
Ms. Bettina Spilker

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INTRODUCTION

1. On 9 March 2011, the Trial Chamber rendered a Decision denying the relief sought by the Defence in its preliminary motion alleging defects in the form of the Amended Indictment.¹ The Defence now seeks an extension of time until 21 March 2011 for it to file a request for certification to appeal the Impugned Decision.

DELIBERATIONS

2. Pursuant to Rule 73(C) of the Rules of Procedure and Evidence, a request for certification to appeal shall be filed within seven days of the filing of the impugned decision. The Defence submits that, because it is currently finalising its response to the Prosecutor's request for the referral of the Amended Indictment to the courts of the Republic of Rwanda,² which is due to be filed on 14 March 2011, it "will not be in a position to devote the time necessary to properly and meaningfully address itself to a full analysis of the Decision or the preparation of a likely request for certification."


3. The Chamber agrees that the Defence response to the referral request is of great importance. The Chamber is also of the view that, under the circumstances, an extension of time until 21 March 2011 is not excessive.

FOR THESE REASONS, THE CHAMBER

GRANTS the Motion and

ORDERS the Defence to file its request, if any, for certification to appeal the Impugned Decision, by 21 March 2011.

Arusha, 10 March 2011, done in English.


Vagn Joensen
Judge

Designated pursuant to Rule
73(A)



¹ *The Prosecutor v. Jean Uwinkindi*, Case No. ICTR-01-75-I, Decision on Defence Preliminary Motion Alleging Defects in the Form of the Amended Indictment, 9 March 2011 ("the Impugned Decision").

² *The Prosecutor v. Jean Uwinkindi*, Case No. ICTR-01-75-I, Prosecutor's Request for the Referral of the Case of Jean-Bosco (sic) Uwinkindi to Rwanda Pursuant to Rule 11bis of the Tribunal's Rules of Procedure and Evidence, 4 November 2010 (the "Referral Request").