

ICTR-98-44F-1
28-03-2011
(25-24)

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UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER III

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

Registrar: Mr. Adama Dieng

Date: 28 March 2011

THE PROSECUTOR
v.
AUGUSTIN BIZIMANA

Case No. ICTR-98-44F-71bis

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**DECISION ON DUTY COUNSEL'S MOTION FOR EXTENSION OF TIME FOR FILING
OF SUBMISSIONS**

Office of the Prosecutor:

Mr. Hassan B. Jallow
Mr. Richard Karegyesa
Mr. Paul Ng'arua
Mr. Elvis Bazawule

For the Accused:

Ms. Yitiha M. Z. Simbeye (Duty Counsel)

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INTRODUCTION

1. On 18 February 2011, the Chamber ordered the Parties to file any submissions in respect of the Prosecutor's application for the preservation of evidence, pursuant to Rule 71*bis* of the Rules of Procedure and Evidence (the "Rules"), within 14 days of the assignment of Duty Counsel.¹ The Chamber also directed the Registrar to immediately assign a Duty Counsel to represent the interests of the fugitive Accused, Augustin Bizimana. The Registrar assigned the Duty Counsel on 16 March 2011.²

2. The Duty Counsel now seeks an extension of the deadline for the filing of her submissions.³ She explains that she was absent from Tanzania at the time of her assignment, that she only returned on 22 March 2011, and that she has not yet had sufficient time to familiarise herself with the details of the case or to prepare her submissions.

DELIBERATIONS

3. Pursuant to Rule 54, a Chamber may issue such orders as may be necessary for the purposes of an investigation or for the preparation or conduct of a trial.

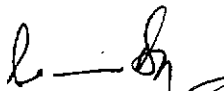
4. In light of the Duty Counsel's explanations, the Chamber deems it necessary to grant her an additional week for the filing of her submissions.

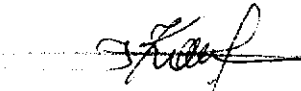
FOR THESE REASONS, THE CHAMBER


GRANTS the Motion and

ORDERS the Duty Counsel to file her submissions, if any, in respect of the Prosecutor's application for the preservation of evidence via special depositions, by **6 April 2011**.

Arusha 28 March 2011, done in English.


Dennis C.M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

[Seal of the Tribunal]



¹ *The Prosecutor v. Augustin Bizimana*, Case No. ICTR-98-44F-71*bis*, Order for Submissions, 18 February 2011.

² Summons to a Duty Counsel for purposes of representing the interests of Mr. Augustin Bizimana before the International Criminal Tribunal for Rwanda, Ref. ICTR-JUD-11-5—2-11-339-rak, Arusha, 16 March 2011. [Ordinarily, the Duty Counsel's submissions should have been filed by 30 March 2011.]

³ *The Prosecutor v. Augustin Bizimana*, Case No. ICTR-98-44-71*bis*, Defence (*sic*) Request for Extension of Time Limit for its Submission in Writing as Ordered by Trial Chamber III in its 18 February 2011 Decision Regarding the Prosecutor's Request for Preservation of Evidence by Special Deposition for Future Trial (Rule 54 General Revision), 25 March 2011.