

ICTR-01-71-R  
29-03-2011  
(116/A-114/A)

116/A  
2011



Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

IN THE APPEALS CHAMBER

**Before:** Judge Carmel Agius, Presiding  
Judge Mehmet Güney  
Judge Fausto Pocar  
Judge Liu Daqun  
Judge Theodor Meron

**Registrar:** Mr. Adama Dieng

**Decision of:** 29 March 2011

**EMMANUEL NDINDABAHIZI**

v.

**THE PROSECUTOR**

*Case No. ICTR-01-71-R*

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JUDICIAL RECORDS ARCHIVES  
RECEIVED  
M. Moriceau

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**DECISION ON EMMANUEL NDINDABAHIZI'S MOTION FOR EXTENSION OF TIME**

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**Counsel for Emmanuel Ndindabahizi**  
Philippe Moriceau

**Office of the Prosecutor**  
Hassan Bubacar Jallow  
James J. Arguin  
Abdoulaye Seye

**THE APPEALS CHAMBER** of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (“Appeals Chamber” and “Tribunal”, respectively),

**NOTING** the “*Requête en révision de la décision rendue par la Chambre d’appel du Tribunal pénal international en date du 16 janvier 2007*”, filed by Mr. Philippe Moriceau on behalf of Mr Emmanuel Ndindabahizi on 31 January 2011 (“Request for Review”);

**NOTING** the response filed by the Office of the Prosecutor to the Request for Review on 14 March 2011;<sup>1</sup>

**BEING SEISED OF** the “*Requête demande de suspension de délai pour répondre au mémoire du Procureur*”, filed on 22 March 2011 (“Motion”) by Mr. Moriceau on behalf of Mr. Ndindabahizi, in which he requests that the time-limit to file a brief in reply start running from the date of the filing of the French translation of the Prosecution Response;<sup>2</sup>

**NOTING** that Mr. Ndindabahizi submits that he does not understand English,<sup>3</sup> and that the Registry has indicated that Mr. Moriceau’s working language is French;<sup>4</sup>

**CONSIDERING** that it is in the interests of justice to rule on the Motion without awaiting the Prosecution response thereto;

**CONSIDERING** that pursuant to Rule 120(C) of the Rules of Procedure and Evidence of the Tribunal (“Rules”), any brief in reply shall be filed within fifteen days of the filing of the response;

**CONSIDERING** that Rule 116(A) of the Rules allows for the extension of a time-limit upon a showing of good cause;

**CONSIDERING** that Mr. Ndindabahizi has established good cause within the meaning of Rule 116 of the Rules for the requested extension of time;<sup>5</sup>

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<sup>1</sup> Prosecutor’s Response to Emmanuel Ndindabahizi’s *Requête en Révision de la Décision rendue par la Chambre d’appel du Tribunal Pénal International en date du 16 janvier 2007*, 14 March 2011 (“Prosecution Response”).

<sup>2</sup> Motion, para. 6.

<sup>3</sup> Motion, para. 4.

<sup>4</sup> E-mail from Registry, dated 28 March 2011.

<sup>5</sup> *The Prosecutor v. Emmanuel Rukundo*, Case No. ICTR-01-70-A, Decision on Motions for Extension of Time, 25 March 2009, p. 3.

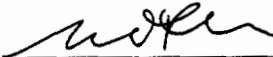
114/A

**FOR THE FOREGOING REASONS,**

**GRANTS** the Motion, and

**ALLOWS** Mr. Ndindabahizi to file his brief in reply no later than fifteen days from the date of the filing of the French translation of the Prosecution Response.

Done this twenty-ninth day of March 2011,  
at Arusha,  
Tanzania

  
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Judge Carmel Agius  
Presiding

