



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

148/H

RMM

ICTR-01-71-R

12 May 2011

{148/H - 146/H}

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: 12 May 2011

ICTR Appeals Chamber
Date: 12-May-2011
Action:
Copied To: Concerned Judges

Parties, Judicial Archives
LOs LSS
[Signature]

EMMANUEL NDINDABAHIZI

v.

THE PROSECUTOR

Case No. ICTR-01-71-R

DECISION ON NDINDABAHIZI'S REQUEST FOR DOCUMENTS

Counsel for Emmanuel Ndindabahizi
Philippe Moriceau

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

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME
COPIE CERTIFIÉE CONFORME À L'ORIGINAL PAR NOUS
NAME / NOM: *Rosette Muzigo-Morrison*
SIGNATURE: *[Signature]* DATE: *12/5/11*

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),

BEING SEISED OF the “*Requête en extrême urgence*” filed by Mr. Emmanuel Ndindabahizi on 26 April 2011 (“Motion”);

NOTING that, in the Motion, Mr. Ndindabahizi requests the service of the following documents in French:

- “*Bordereau de pièces pour divulgation*” filed on 11 February 2011 (“List of Disclosure Documents”);
- Decision on Emmanuel Ndindabahizi’s Motion for Extension of Time, 29 March 2011 (“29 March Decision”);
- Prosecutor’s Application to place under seal Emmanuel Ndindabahizi’s *Requête en Révision de la Décision rendue par la Chambre d’appel du Tribunal [p]énal [i]nternational en date du 16 janvier 2007* and the *Bordereau[x] de pièces pour divulgation*, 16 March 2011 (confidential) (“Prosecution Application”);
- Decision on Prosecution’s Motion to Place Filings Under Seal, 15 April 2011 (“15 April Decision”);¹

RECALLING that Mr. Ndindabahizi does not understand English, and that his counsel’s working language is French;²

CONSIDERING that the List of Disclosure Documents was filed by counsel for Mr. Ndindabahizi in French and that there is therefore no reason to order the Registry to provide it to him;³

NOTING that the Prosecution’s Application was disposed of in the 15 April Decision;

CONSIDERING therefore that there is no need to order that a French translation of the Prosecution’s Application be provided to Mr. Ndindabahizi;

¹ Motion, para. 6.

² 29 March Decision, p. 2. *See also* Defence Counsel and Detention Management Section *Formulaire* IL2, M. Alain-Philippe Moriceau, 7 April 2011.

³ *See Bordereau de pièces pour divulgation*, 11 February 2011, *Fiche de transmission*.

NOTING that the French translation of the 29 March Decision was filed on 5 May 2011 and that the French translation of the 15 April Decision was filed on 3 May 2011;

FINDING therefore that Mr. Ndindabahizi's request with respect to the 29 March Decision and the 15 April Decision is moot;

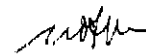
FOR THE FOREGOING REASONS,

DENIES the Motion; and

INSTRUCTS the Registry to provide a French translation of this decision to Mr. Ndindabahizi as soon as reasonably practicable.

Done in English and French, the English version being authoritative.

Done this twelfth day of May 2011,
at The Hague,
The Netherlands.



Judge Carmel Agius
Presiding

[Seal of the Tribunal]

