



UNITED NATIONS
NATIONS UNIES

**Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda**

IN THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Pre-Appeal Judge

Registrar: Mr. Adama Dieng

Decision of: 18 July 2011

**Augustin NDINDILYIMANA
Augustin BIZIMUNGU
François-Xavier NZUWONEMEYE
Innocent SAGAHUTU**

v.

THE PROSECUTOR

Case No. ICTR-00-56-A

**DECISION ON NZUWONEMEYE'S REQUEST FOR EXTENSION OF TIME TO FILE
HIS APPEAL BRIEF**

Defence Counsel:

Mr. Christopher Black for Augustin Ndindiliyimana
Mr. Gilles St-Laurent for Augustin Bizimungu
Mr. Charles A. Taku for François-Xavier Nzuwonemeye
Mr. Fabien Segatwa for Innocent Sagahutu

The Office of the Prosecutor:

Mr. Hassan Bubacar Jallow
Mr. James J. Arguin
Mr. William Egbe
Mr. Abubacarr Tambadou

I, Patrick Robinson, Presiding Judge of 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) and Pre-Appeal Judge in this case;

NOTING that, on 17 May 2011, Trial Chamber II of the Tribunal convicted all four accused in the *Ndindiliyimana et al.* case and that the written Trial Judgement was filed in English on 17 June 2011;¹

BEING SEISED of a request filed by François-Xavier Nzuwonemeye for an extension of time to file his Appellant’s brief 40 days after the filing of the French translation of the Trial Judgement;²

NOTING that Mr. Nzuwonemeye submits that he can follow the proceedings solely in the French language and requires the French translation in order to give his Counsel appropriate instructions in preparing the Appellant’s brief;³

CONSIDERING that Rule 116(A) of the Tribunal’s Rules of Procedure and Evidence (“Rules”) allows for the extension of time of any deadline on a showing of good cause;

CONSIDERING that Rule 116(B) of the Rules provides that the requirement for good cause is satisfied “[w]here the ability of the accused to make full answer and Defence depends on the availability of a decision in an official language other than that in which it was originally issued”;

CONSIDERING that it is in the interests of justice to allow Mr. Nzuwonemeye adequate time to read the Trial Judgement in a language he understands and to consult with his Counsel before filing his Appellant’s brief⁴ and that, accordingly, good cause exists to grant an extension of time for the filing of Mr. Nzuwonemeye’s Appellant’s brief;

FOR THE FOREGOING REASONS

GRANT the Motion; and

¹ T. 17 May 2011 pp. 23-25. *See also The Prosecutor v. Augustin Ndindiliyimana et al.*, Case No. ICTR-00-56-T, Judgement and Sentence, dated 17 May 2011 and filed on 17 June 2011 (“Trial Judgement”), paras. 71, 73, 75, 77, 2085, 2106-2108, 2119, 2128, 2152-2157, 2162, 2163.

² Nzuwonemeye [*sic*] Extremely Urgent Motion for Extension to File Appeal Brief, 15 July 2011 (“Motion”).

³ Motion, para. 4.

⁴ *See, e.g.*, Decision on Motions for Extension of Time for the Filing of Appeal Submissions, 11 July 2011, para. 16.

ORDER Mr. Nzuwonemeye to file his Appellant's brief, if any, no later than 40 days after the filing of the French translation of the Trial Judgement.

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

Done this 18th day of July 2011,
at The Hague,
The Netherlands.

Judge Patrick Robinson
Pre-Appeal Judge

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