

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-18-116-R90.1

Date: 29 November 2022

Original: English

BEFORE A SINGLE JUDGE

Before: Judge José Ricardo de Prada Solaesa

Registrar: Mr. Abubacarr M. Tambadou

Decision of: 29 November 2022

PROSECUTOR

v.

**ANSELME NZABONIMPA
JEAN DE DIEU NDAGIJIMANA
MARIE ROSE FATUMA
DICK PRUDENCE MUNYESHULI
AUGUSTIN NGIRABATWARE**

PUBLIC

DECISION ON REQUEST FOR EXTENSION OF TIME

Amicus Curiae:

Mr. Kenneth Scott

I, JOSÉ RICARDO DE PRADA SOLAESA, Judge of the International Residual Mechanism for Criminal Tribunals (“Mechanism”) and Single Judge in this case;¹

RECALLING that, on 25 October 2021, I directed the Registrar of the Mechanism, pursuant to Rule 90(C)(ii) of the Rules of Procedure and Evidence of the Mechanism, to appoint an *Amicus Curiae* to investigate whether Peter Robinson interfered with the administration of justice – or should otherwise be professionally sanctioned or denied audience – by: (i) violating order(s) of a Chamber or Single Judge; (ii) having unauthorised communication with Augustin Ngirabatware; and (iii) engaging in a pattern of repeated professional and ethical lapses while acting as Ngirabatware’s counsel, with a view to reporting back as to whether there are sufficient grounds for instigating contempt proceedings or other appropriate disciplinary action (“Investigation”);²

RECALLING that I directed the *Amicus Curiae* to submit a report containing the conclusions of the Investigation (“Report”) within 120 days from the date of his appointment,³ which occurred on 30 November 2021,⁴ and that, subsequently, I granted the *Amicus Curiae* three extensions of time, most recently ordering him to file the Report no later than 25 November 2022;⁵

NOTING that the Decision of 28 September 2022 provided that, if appropriate, an additional 60 days extension to file the Report may be granted on the demonstration of good cause justifying the need for further extension;⁶

BEING SEISED OF a request filed confidentially and *ex parte* by the *Amicus Curiae* on 24 November 2022, seeking a further extension of 60 days to submit the Report;⁷

NOTING the information contained in the Request on the progress and anticipated activities of the Investigation;⁸

CONSIDERING the *Amicus Curiae*’s submission that: (i) the requested extension is necessary in light of, *inter alia*, the volume, nature, and complexity of the materials to review, analyse, and

¹ Order Assigning a Single Judge to Consider a Matter Pursuant to Rule 90(C), 8 October 2021, p. 1.

² Order Directing the Registrar to Appoint an *Amicus Curiae* to Investigate Pursuant to Rule 90(C)(ii), 25 October 2021 (“Order of 25 October 2021”), p. 3.

³ Order of 25 October 2021, p. 4.

⁴ Decision, 30 November 2021, p. 2.

⁵ Decision on Request for Extension of Time, 28 September 2022 (“Decision of 28 September 2022”), p. 2; Decision on Request for Extension of Time, 28 July 2022, p. 2; Decision on Request for Extension of Time, 1 April 2022, p. 2.

⁶ Decision of 28 September 2022, p. 2.

⁷ Request for Extension of Time, 24 November 2022 (confidential and *ex parte*) (“Request”), pp. 1, 8.

⁸ See Request, paras. 2-26.

incorporate in the Report;⁹ and (ii) it is difficult to provide accurate estimates of the time necessary to complete the anticipated tasks related to the Investigation;¹⁰

FINDING that it is appropriate to grant the *Amicus Curiae* a 60-day extension of time to file the Report and that any further request for an extension shall be made only in exceptional circumstances and include a realistic schedule to complete the Investigation and file the Report in a timely manner;

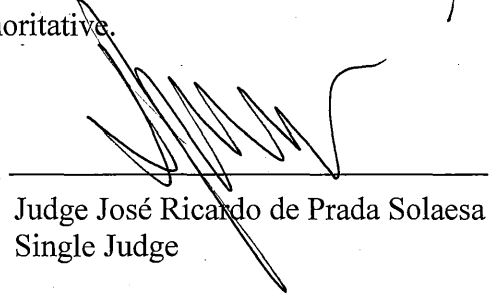
FOR THE FOREGOING REASONS,

GRANT the Request; and

ORDER the *Amicus Curiae* to file the Report no later than Tuesday, 24 January 2023.

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

Done this 29th day of November 2022,
At Arusha,
Tanzania



Judge José Ricardo de Prada Solaesa
Single Judge

[Seal of the Mechanism]

⁹ See Request, paras. 25, 26.

¹⁰ See Request, para. 27.



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