

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

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

Date: 13 February 2023

Original: English

BEFORE A SINGLE JUDGE

Before: Judge José Ricardo de Prada Solaesa

Registrar: Mr. Abubacarr M. Tambadou

Decision of: 13 February 2023

PROSECUTOR

v.

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

PUBLIC

**DECISION ON FURTHER 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 (“Registrar”), pursuant to Rule 90(C)(ii) of the Rules of Procedure and Evidence of the Mechanism, to appoint an *amicus curiae* to investigate whether Mr. 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 Mr. Augustin Ngirabatware; and (iii) engaging in a pattern of repeated professional and ethical lapses while acting as Mr. 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

NOTING that, on 30 November 2021, the Registrar appointed Mr. Kenneth Scott as *amicus curiae* to conduct the Investigation (“*Amicus Curiae*”);³

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 appointment⁴ and, in light of subsequent decisions granting the *Amicus Curiae* five extensions,⁵ the Report is currently due by 25 February 2023;⁶

BEING SEISED OF a request filed confidentially and *ex parte* by the *Amicus Curiae* on 8 February 2023, seeking a further extension to file the Report by 13 March 2023;⁷

CONSIDERING the *Amicus Curiae*’s submission that the requested extension is necessary in light of specific personal circumstances that impacts his ability to file the Report within the prescribed deadline;⁸

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 Decision, 30 November 2021, p. 2.

⁴ Order of 25 October 2021, p. 4.

⁵ See Decision on Request for Extension of Time, 1 April 2022, pp. 1, 2 (granting an extension of 120 days); Decision on Request for Extension of Time, 28 July 2022, p. 2 (granting an extension of 60 days); Decision on Request for Extension of Time, 28 September 2022, p. 2 (granting an extension of 60 days); Decision on Request for Extension of Time, 29 November 2022, p. 2 (granting an extension of 60 days); Decision on Further Request for Extension of Time, 26 January 2023 (“Fifth Extension Decision”), p. 3 (granting an extension of 30 days).

⁶ Fifth Extension Decision, p. 3 (wherein I found, *inter alia*, that the *Amicus Curiae* “may indicate any areas requiring further development, justifying their pertinence and specifying the amount of time needed for further investigation in relation thereto”).

⁷ Request for Extension of Time, 8 February 2023 (confidential and *ex parte*) (“Request”), p. 1.

⁸ See Request, para. 2.

FINDING that, in these circumstances, it is appropriate to grant the requested extension;

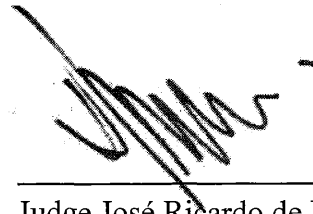
FOR THE FOREGOING REASONS,

HEREBY GRANT the Request; and

ORDER the *Amicus Curiae* to file the Report no later than Monday, 13 March 2023.

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

Done this 13th day of February 2023,
At Arusha,
Tanzania



Judge José Ricardo de Prada Solaesa
Single Judge

[Seal of the Mechanism]



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