

1929/H



UNITED NATIONS
NATIONS UNIES

Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

ICTR-01-76-A

3 July 2007

(1929/H - 1927/H)

IN THE APPEALS CHAMBER

Before:

Judge Fausto Pocar, Presiding
Judge Mehmet Güney
Judge Liu Daqun
Judge Theodor Meron
Judge Wolfgang Schomburg

Registrar:

Mr. Adama Dieng

Decision of:

3 July 2007

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ALOYS SIMBA
v.
THE PROSECUTOR
Case No. ICTR-01-76-A

ICTR Appeals Chamber
Date: 3 July 2007
Action: P.T.
Copied To: Collected Judge
Parties SDC, LES, ALO, L S;
Archives

Patricia Tchidimbo

ORDER FOR TRANSLATION

Counsel for Aloys Simba:

Mr. Sadikou Ayo Alao
Mr. Wenceslas de Souza

The Office of the Prosecutor:

Mr. James Stewart
Mr. George William Mugwanya
Ms. Inneke Onsea
Ms. Evelyn Kamau

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
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NAME / NOM: Patricia Tchidimbo
SIGNATURE: *Patricia Tchidimbo* DATE: 03/07/07

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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 appeals filed by the Office of the Prosecutor ("Prosecution") and Aloys Simba ("Appellant") against the "Judgement and Sentence" rendered in the case *Prosecutor v. Aloys Simba* by Trial Chamber I on 13 December 2005 ("Trial Judgement");¹

NOTING that exhibits D3, D4, D5-A and D5-B were admitted at trial in Kinyarwanda only² and that the unofficial translations provided at that time by the Appellant to the Trial Chamber do not currently form part of the trial record;

NOTING that at the appeal hearing the Prosecution informed the Appeals Chamber that it is in possession of unofficial translations of these exhibits which were prepared subsequent to their admission;³

CONSIDERING that for the purpose of deciding the merits of the appeals in this case, the Appeals Chamber needs to be apprised of the contents of the said exhibits;

CONSIDERING that it is therefore in the interests of justice to request the Parties to produce the unofficial translations of these exhibits which they possess and to have these exhibits translated into the languages of the Tribunal by the Registry;

¹ Prosecutor's Notice of Appeal, 12 January 2006, and *Acte d'appel de la Defense*, 21 June 2006 ("Simba Notice of Appeal") respectively.

² See T. 31 August 2004, p. 13-16, 18, 25, 26, 27, 28, 31, 33, 34 and 86.

³ See T.22 May 2007, p. 69 and 70.

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FOR THE FOREGOING REASONS,

PURSUANT to Article 31 of the Statute of the Tribunal; Rules 3(E), 54, 81(C) and 107 of the Rules of Procedure and Evidence *proprio motu*;

INSTRUCTS the Parties to file the translations of exhibits D3, D4, D5-A and D5-B which they possess forthwith but no later than 18 July 2007;

ORDERS the Registry to provide English and French certified translations of exhibits D3, D4, D5-A and D5-B no later than 2 August 2007;

Done in English and French, the English text being authoritative;



Judge Fausto Pocar
Presiding Judge



[Seal of the Tribunal]

Dated this 3rd, day of July 2007,
At The Hague, The Netherlands.



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

REGISTRY AT THE HAGUE
Churchillplein 1, 2517 JW The Hague, The Netherlands
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**APPEALS CHAMBER – PROOF OF SERVICE
CHAMBRE D'APPEL - PREUVE DE NOTIFICATION**

July 3, 2007	Case Name / <i>Affaire</i> : SIMBA. Case No / <i>No. de l'affaire</i> : ICTR-01-76-A	THE PROSECUTOR v. Aloys SIMBA
To: A:	Arusha <ul style="list-style-type: none"> ✘ Judicial Records and Archives Unit <input type="checkbox"/> Fax Number: 179 5251 <p>APPEALS CHAMBER</p> <ul style="list-style-type: none"> ✘ Judge / Juge Fausto Pocar, Presiding ✘ Judge / Juge Mehmet Güney ✘ Judge / Juge Liu Daqun ✘ Judge / Juge Theodor Meron ✘ Judge / Juge Wolfgang Schomburg <ul style="list-style-type: none"> ✘ Ms Catherine Marchi-Uhel ✘ Mr Roman Boed ✘ Concerned Associate Legal Officers ✘ Ms. Fatou Fall <p>DEFENSE</p> <ul style="list-style-type: none"> ✘ <i>Accused / accusé</i> : Mr. Aloys SIMBA (complete CMS4 Form) ✘ <i>Lead Counsel / Conseil Principal</i>: Mr. Sadikou Ayo ALAO (<i>name / nom</i>) ✘ In Arusha (complete CMS 2) <input type="checkbox"/> Fax Number: (229) 21 30 92 73 ✘ E-mail: mcalao@bow.intnet.bj ✘ <i>Co-Counsel / Conseil Adjoint</i>: Me Wencscslas de SOUZA (<i>name / nom</i>) ✘ In Arusha (complete CMS 2) <input type="checkbox"/> Fax Number: ✘ E-mail: 	<p>JUDICIAL RECORDS/ARCHIVE RECEIVED 2007 JUL -4 1 A 8:42</p>
From: De:	✘ Koffi Afande	✘ Patrice Tchidimbo <i>Patrice Tchidimbo</i>
Subject Objet:	Kindly find attached the following documents / <i>Veillez trouver en annexe les documents suivants</i> :	
Documents name / Titre du document	Date Filed / Date d'enregistrement	Pages
Order for Translation	July 3, 2007	1929/H – 1927/H

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