



Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

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ICTR-98-44-I  
28-APRIL 2000  
(26-25)

IN THE APPEALS CHAMBER

Before: Judge Claude JORDA, Presiding  
Judge Lal Chand VOHRAH  
Judge Mohamed SHAHABUDEEN  
Judge Rafael NIETO-NAVIA  
Judge Fausto POCAR

Registrar: Mr. Agwu U OKALI

Decision of: 28 April 2000

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ICTR  
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Juvénal KAJELIJELI  
(Appellant)

v.

THE PROSECUTOR  
(Respondent)

Case No.: ICTR-98-44-A

**DECISION**

(INTERLOCUTORY APPEAL AGAINST THE DECISION OF 7  
DECEMBER 1999)

Counsel for Juvénal KAJELIJELI  
Mr Lennox S. HINDS

Counsel for the Prosecutor  
Mr Don WEBSTER

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda  
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NAME / NOM: Félicité Talon Abouandoyko  
SIGNATURE: [Signature] DATE: 28-4-2000

**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 (“the Appeals Chamber” and “the Tribunal” respectively),

**BEING SEIZED OF** a Notice of Appeal filed by Juvenal Kajelijeli (“the Appellant”) on 10 December 1999 (“the Notice of Appeal”), wherein he requests the Appeals Chamber to set aside what he classes as a decision of the Bureau of the Tribunal, dated 7 December 1999 (“the Decision”), denying his “Request to the Panel of Judges to Recuse themselves from hearing the Motion on the Lawfulness of Arrest and Detention” (“the Request”) filed on 7 December 1999 and deciding that there were no grounds to disqualify Judge Laity Kama and Judge William Sekule;

**NOTING** that the Decision was made by Judge Mehmet Guney who expressly stated at the hearing on the 7 December 1999 that he had been designated by the Trial Chamber under Rule 73 of the Rules of Procedure and Evidence of the Tribunal (“the Rules”) to hear the arguments of the parties regarding the Request;

**CONSIDERING** that under Rule 73(B) of the Rules decisions so made are without interlocutory appeal;

**HEREBY REJECTS** the Notice of Appeal.

Done in both French and English, the French text being authoritative.

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 Claude JORDA  
 Presiding Judge

Dated this twenty-eighth day of April 2000  
 At The Hague,  
 The Netherlands.



[Seal of the Tribunal]