



UNITED NATIONS  
NATIONS UNIES



Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

3951  
dir

IN THE APPEALS CHAMBER

ICTR-96-4-A  
25th Aug. 2000  
(3951 - 3949)

Before: Judge Rafael Nieto-Navia, Pre-Hearing Judge  
Registrar: Mr Agwu U Okali  
Order of: 25 August 2000

JEAN-PAUL AKAYESU  
v.  
THE PROSECUTOR  
Case No: ICTR-96-4-A

ICTR  
ORIGINAL RECORDS ARCHIVED  
RECEIVED

25 AUG 25 11:30

---

**ORDER**

---

Counsel for the Appellant

Mr John Philpot  
Mr Andre Tremblay

Counsel for the Prosecutor

Mr Solomon Loh

**I, Rafael Nieto-Navia, Pre-Hearing Judge** in this matter,

**NOTING** the pending appeals filed by Jean-Paul AKAYESU (the “Appellant”) and by the Prosecutor against the Judgement of Trial Chamber II delivered on 2 September 1998 and the Sentence delivered on 2 October 1998 ;

**NOTING** the Scheduling Order issued by myself on 24 May 2000 (“the first Scheduling Order”) and the deadlines for the filing of briefs set out therein ;

**NOTING** also the second Scheduling Order issued on 27 July 2000 (“the second Scheduling Order”) suspending the briefing schedule and consequently modifying the first Scheduling Order for the Appellant and the Prosecutor to file their Briefs in Response within 13 days of the Appeals Chamber Decision on the pending Motions ;

**NOTING** the “Urgent Motion by Defense Counsel to Suspend the Briefing Schedule” (“the Motion”) filed by the Appellant on 22 August 2000 ;

**NOTING** that the Motion prays the Appeals Chamber to suspend the second Scheduling Order and any other Scheduling Order in order to exclude the period between 5 October and 17 October 2000 because the Defence co-Counsel has family matters to attend to during that period ;

**CONSIDERING** that Counsel for the Appellant filed the Motion frivolously while awaiting the Decision on his pending Motions provided for in the second Scheduling Order, which was itself rendered on 22 August 2000 ;

**CONSIDERING** that a Motion of this nature is an abuse of process that would justify the application of Rule 73 (E) of the Rules of Procedure and Evidence ;

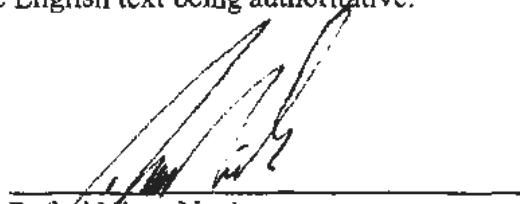
3949

**CONSIDERING** also that the reasons adduced in support of the Motion are irrelevant to the proceedings and do not constitute good cause for suspending the Scheduling Order ;

**FOR THESE REASONS**

**DISMISSES** the motion.

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



---

Rafael Nieto-Navia  
Pre-Hearing Judge

Dated this twenty-fourth day of August 2000  
At The Hague,  
The Netherlands

[Seal of the Tribunal]