



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

IN THE APPEALS CHAMBER

Before:

Judge Rafael NIETO-NAVIA

Registrar:

Mr Agwu U OKALI

Order of: 28 September 2000

**Clément KAYISHEMA and
Obed RUZINDANA**
(Appellants)

v

THE PROSECUTOR
(Cross-Appellant)

Case No: ICTR-95-1-A

ORDER
(HEARING ON APPEAL)

Counsel for the Appellant Clément Kayishema

Mr André Féran

Mr Phillipe Moriceau

Counsel for the Appellant Obed Ruzindana

Mr Pascal Besnier

Mr William van der Griend

Counsel for the Prosecutor

Mr Solomon Loh

I, Rafael Nieto-Navia, designated by the Presiding Judge as Pre-Hearing Judge pursuant to Rule 108*bis* of the Rules of Procedure and Evidence ("the Rules");

NOTING the Judgement of Trial Chamber II dated 21 May 1999 ("the Judgement") by which (a) Clément Kayishema ("the first Appellant") and Obed Ruzindana ("the second

Appellant") were convicted on four counts of genocide and one count of genocide respectively, and (b) the first Appellant was sentenced to four terms of life imprisonment and the second Appellant was sentenced to one term of imprisonment for twenty-five years;

NOTING the Notices of Appeal filed against the Judgement on 18 June 1999 by the first Appellant, the second Appellant and the Prosecutor ("the Cross-Appellant");

NOTING the "Scheduling Order" issued by myself on 26 May 2000, as modified by the "Decision (Kayishema's Motions for Extension of Time to File Briefs)" of 4 August 2000, setting the dates for filing of the briefs in this matter;

NOTING that the first Appellant is due to file his last brief in the appeal on 5 October 2000, the second Appellant filed his last brief in the appeal on 7 July 2000, and the Cross-Appellant is due to file her last brief in the appeal on 12 October 2000^[1];

NOTING that pursuant to Rule 117*bis* of the Rules, each party should prepare and file eight copies of an Appeal Book and eight copies of a Book of Authorities, in the format specified in this Rule, within seven days following the filing of the last brief to be filed in the appeal by the party in question;

NOTING FURTHER that several Appeal Books have already been filed with the Registry;

CONSIDERING that the purpose of the Appeal Book is to facilitate reference to the documents to which each party will refer the Chamber during the hearing on the appeal;

NOW ORDERS AS FOLLOWS:

1. The hearing in this matter shall take place on Monday 30 October 2000 and if necessary shall conclude on Tuesday 31 October 2000;
2. Each party shall file a supplement to their Appeals Book within seven days following the filing of their last brief in the appeal where the Appeals Books already filed do not include every document (including legal submissions) to which the party intends to refer the Chamber during the hearing.

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

Rafael Nieto-Navia,
Pre-hearing Judge

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

[Seal of the Tribunal]

[\[1\]](#) The Appeals Chamber notes that, pursuant to the "Decision (Appellants' Motions For Admission Of Additional Evidence On Appeal)" of 26 September 2000 the Prosecutor may file a reply to the first Appellant's supplement to his Brief in Response by 17 October 2000; however as the first Appellant filed supplement to his Brief in Response on 27 September 2000 the earlier time-limit applies.