



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

ICTR-98-44A-A
6 SEPTEMBER 2004
(834/H-832/H)

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IN THE APPEALS CHAMBER

Before: Judge Florence Ndepele Mwachande Mumba
Registrar: Mr. Adama Dieng
Order of: 6 September 2004

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JUVÉNAL KAJELIJELI
(Appellant)

v.

THE PROSECUTOR
(Respondent)

Case No. ICTR-98-44A-A

ICTR Appeals Chamber

Date: 06 September 04
Action: PG
Copied To: Concerned Parties, Judicial Arch
Hqs, HSS

ORDER ON MOTION FOR EXTENSION OF PAGE AND WORD LIMIT

Counsel for the Prosecution
Melanie Werrett
James Stewart

Counsel for the Appellant
Lennox Hinds

Case No. ICTR-98-44A-A

6 September 2004

International Criminal Tribunal for Rwanda Tribunal pénal international pour le Rwanda	
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME COPIE CERTIFIÉE CONFORME À L'ORIGINAL PAR NOUS	
NAME / NOM: ROSETTE MWIZIGO-MORRISON	
SIGNATURE: [Signature]	DATE: 06/09/04

I, FLORENCE NDEPELE MWACHANDE MUMBA, Judge of 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 ("Tribunal");

BEING SEISED OF the "Notice of Leave to File Extremely Urgent Motion for Variation from Page/Word Limits in Brief- in-Reply" and of the "Extremely Urgent Motion for Variation from Page/Word Limits in Brief- in-Reply" ("Motion"), filed by Counsel for the Appellant on 2 August 2004, where he requests the Appeals Chamber leave to exceed the page and word limit in his Appellant's Brief in Reply;

NOTING that the Prosecution has informed the Appeals Chamber through the Legal Officer that it does not oppose the Motion;

NOTING the "Order of the Presiding Judge Assigning Judges and Designating the Pre-Appeal Judge", filed on 10 December 2003, which designated me to serve as Pre-Appeal Judge in this case;

NOTING that, by virtue of Rule 108bis (B) of the Rules of Procedure and Evidence of the Tribunal, "the Pre-Appeal Judge shall ensure that the proceedings are not unduly delayed and shall take any measures related to procedural matters, including the issuing of decisions, orders and directions with a view to preparing the case for a fair and expeditious hearing";

NOTING that paragraph 1(c) of the Practice Direction on the Length of Briefs and Motions on Appeal dated 16 September 2002 ("Practice Direction") provides that "the reply brief of an appellant in an appeal from a final judgement of a Trial Chamber will not exceed 30 pages or 9,000 words, whichever is greater" and that paragraph 5 of the Practice Direction requires a party seeking an extension of the page limit to "provide an explanation of the exceptional circumstances that necessitate the oversized filing";

NOTING that Counsel for the Appellant has indicated that his Brief in Reply exceeds by 5 lines and by 1,389 words respectively the page and word limit imposed by Directive;

CONSIDERING that the Appellant has not demonstrated the existence of exceptional circumstances that necessitate the oversized filing;

CONSIDERING however that the granting of the Motion will facilitate the preparation of the case for hearing and not prejudice the Prosecution;

FOR THE FOREGOING REASONS,

GRANT the Motion of the Appellant for the filing of an oversized Brief in Reply.

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



Florence Ndepele Mwachande Mumba
Pre-Appeal Judge

Done this 6th day of September 2004,
At the Hague,
The Netherlands.

[Seal of the International Tribunal]

