



UNITED NATIONS
NATIONS UNIES

Tribunal pénal international pour le Rwanda
International Criminal Tribunal for Rwanda

10253/H
ICTR-99-52-A

30th August 2007
[10253/H - 10252/H]

IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Andrésia Vaz
Judge Theodor Meron

Registrar: Mr. Adama Dieng

Decision of: 30 August 2007

International Criminal Tribunal for Rwanda Tribunal pénal international pour le Rwanda CERTIFIED TRUE COPY OF THE ORIGINAL, SENT BY AIR COURTESY OF THE COMMISSIONER A.L. ORIGINAL FOR NOTES NAME / NOM: <i>Petrina, T. Chidambaram</i> SIGNATURE: <i>[Signature]</i> DATE: <i>20/08/07</i>
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ICTR Appeals Chamber

Date: *30 August 2007*

Action: *P.T.*

Copied To: *all concerned Judges*
Parties, Sec. Leg. Affairs

Archiver

**Ferdinand NAHIMANA
Jean-Bosco BARAYAGWIZA
Hassan NGEZE
(Appellants)**

v.

**THE PROSECUTOR
(Respondent)**

Case No. ICTR-99-52-A

**ORDER TO APPELLANT HASSAN NGEZE TO FILE PUBLIC VERSIONS OF HIS
NOTICE OF APPEAL AND APPELLANT'S BRIEF**

Counsel for Jean-Bosco Barayagwiza

Mr. D. Peter Herbert
Ms. Tanoo Mylvaganam

Counsel for Ferdinand Nahimana

Mr. Jean-Marie Biju-Duval
Ms. Diana Ellis

Counsel for Hassan Ngeze

Mr. Bharat B. Chadha
Mr. Dev Nath Kapoor

Office of the Prosecutor

Mr. James Stewart
Mr. Neville Weston
Mr. George Mugwanya
Ms. Linda Bianchi
Mr. Abdoulaye Seye
Mr. Alfred Orono Orono

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[Signature]

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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),

RECALLING that the filing of the briefs in the present case is complete and that the oral arguments of the parties were heard by the Appeals Chamber on 17 and 18 January 2007;

NOTING that Appellant Hassan Ngeze ("Appellant") filed both his Notice of Appeal¹ and his Appellant's Brief² confidentially and has not, to date, filed any public redacted versions thereof;

CONSIDERING that all submissions filed before the Tribunal shall be public unless there are exceptional reasons for keeping them confidential,³ and that parties shall file public redacted versions of all confidential briefs filed on appeal;⁴

HEREBY ORDERS the Appellant to file, after suitable redactions, public versions of his Notice of Appeal and Appellant's Brief within 30 days from the date of this Order;⁵

FURTHER ORDERS that any changes to the confidential versions be limited to necessary redactions of confidential information, including the identities of protected witnesses, and not consist of any additions, deletions or other amendments;

INSTRUCTS the Appellant to clearly mark the redactions in the text of the public versions of his Notice of Appeal and Appellant's Brief or to file a confidential annex thereto identifying all redactions paragraph by paragraph.

Done this 30th day of August 2007,
At The Hague, The Netherlands.


Fausto Pocar
Presiding Judge

[Seal of the Tribunal]

¹ Confidential Amended Notice of Appeal, 9 May 2005 ("Notice of Appeal").

² Confidential Appellant's Brief (Pursuant to Rule 111 of the Rules of Procedure and Evidence), 2 May 2005 ("Appellant's Brief").

³ Cf. Rule 78 of the Tribunal's Rules of Procedure and Evidence.

⁴ *Emmanuel Ndirubakazi v. The Prosecutor*, Case No. ICTR-01-71-A, Scheduling Order, 11 May 2006, p. 2 referring to *Prosecutor v. Mladen Naletilić and Vinko Martinović*, Case No. IT-98-34-A, Decision on Vinko Martinović's Withdrawal of Confidential Status of Appeal Brief, 4 May 2005, p. 3; *Prosecutor v. Blagoje Simić*, Case No. IT-95-9-A, Order, 17 September 2004 ("Simić Order"), p. 2.

⁵ *Simić Order*, p. 2.