



UNITED NATIONS  
NATIONS UNIES

Tribunal pénal international pour le Rwanda  
International Criminal Tribunal for Rwanda

ICTR-2001-73-A  
16<sup>th</sup> September 2009  
{614/H – 612/H}

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Pre-Appeal Judge

Registrar: Mr. Adama Dieng

Order of: 16 September 2009

JUDICIAL RECORDS ARCHIVE  
RECEIVED

2009 SEP 16 P 5:20

PROTAIS ZIGIRANYIRAZO

v.

THE PROSECUTOR

Case No. ICTR-01-73-A

**SCHEDULING ORDER FOR THE FILING OF SUBMISSIONS RELATED TO  
ZIGIRANYIRAZO'S SECOND MOTION TO ADMIT ADDITIONAL  
EVIDENCE**

Counsel for Protais Zigiranyirazo:

Mr. John Philpot  
Mr. Peter Zaduk  
Ms. Fiona Gray  
Mr. Kyle Gervais

ICTR Appeals Chamber  
Date: 16<sup>th</sup> September 2009  
Action: A. Dieng  
Copied To: Concerned Judges, SLO's,  
LO's, ALO's, Parties, CMS, LSS.

The Office of the Prosecutor:

Mr. Hassan Bubacar Jallow  
Mr. Alex Obote-Odora  
Ms. Christine Graham  
Ms. Linda Bianchi  
Mr. Ignacio Tredici  
Ms. Béatrice Chapaux  
Mr. Alfred Orono Orono

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda  
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME  
COPIE CERTIFIÉE CONFORME A L'ORIGINAL PAR NOUS  
NAME / NOM: KOFFI...KUMELIO...A...AFANDÉ...  
SIGNATURE: [Handwritten Signature] DATE: 16 Sept. 2009

**I, Theodor Meron**, 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”) and Pre-Appeal Judge in this case;

**NOTING** the Judgement rendered in this case by Trial Chamber III of the Tribunal on 18 December 2008;

**RECALLING** the Scheduling Order issued on 20 July 2009 which set the date of the appeal hearing in this case for Monday, 28 September 2009, in Arusha, Tanzania;

**FURTHER RECALLING** the Order for the Preparation of the Appeal Hearing issued on 27 August 2009, which invited the parties, *inter alia*, to “discuss, with references to the record, the feasibility of travel along the route between Kigali and Gisenyi Prefecture via Ruhengeri Prefecture during the relevant period related to the events at Kesho Hill and the Kiyovu Roadblock”;

**NOTING** the “Motion under Rule 115 RPE”, filed by Protais Zigiranyirazo on 14 September 2009 (“Motion”), which requests the Appeals Chamber to admit additional evidence related to the feasibility of travel between Kigali and Gisenyi Prefecture via Ruhengeri Prefecture;

**NOTING** that, pursuant to paragraphs 13 and 14 of the Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings Before the Tribunal,<sup>1</sup> a response to a motion filed pursuant to Rule 115 of the Rules of Procedure and Evidence of the Tribunal (“Rules”) must be filed within 30 days of the filing of such a motion and a reply must be filed within 14 days of the filing of the response;

**CONSIDERING** that, pursuant to Rule 108bis(B) of the Rules, the Pre-Appeal Judge shall ensure that the proceedings are not unduly delayed and shall take any measures related to procedural matters with a view to preparing the case for a fair and expeditious hearing;

**CONSIDERING** that, pursuant to paragraph 19 of the Practice Direction, “a Pre-Appeal Judge may vary any time-limit prescribed under this Practice Direction”;

**CONSIDERING** that, in the interests of preparing the case for a fair and expeditious hearing, it is advisable that the filings in relation to the Motion be completed prior to the hearing of Mr. Zigiranyirazo’s appeal;

**612/H**

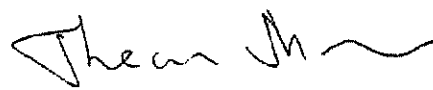
**ORDER** the Prosecution to file any response to the Motion no later than Monday, 21 September 2009; and

**FURTHER ORDER** Mr. Zigiranyirazo to file any reply no later than Wednesday, 23 September 2009.

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

Done this 16th day of September 2009,  
At The Hague,  
The Netherlands.



  
\_\_\_\_\_  
Judge Theodor Meron  
Presiding

[Seal of the Tribunal]

---

<sup>1</sup> Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings Before the Tribunal, 8 December 2006 ("Practice Direction").