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Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

907/H

OK

ICTR-02-78-A

09<sup>th</sup> May 2011

{907/H - 905/H}

**IN THE APPEALS CHAMBER**

Before:

Judge Patrick Robinson, Pre-Appeal Judge

Registrar:

Mr. Adama Dieng

Order of:

9 May 2011

ICTR Appeals Chamber

Date: 09<sup>th</sup> May 2011

Action: R. Dieng

Copied To: Concerned Judges,

Parties, Judicial Archives,

LDs, LSS

Gaspard KANYARUKIGA

v.

**THE PROSECUTOR**

Case No. ICTR-02-78-A

**ORDER ON THE STATUS OF GASPARD KANYARUKIGA'S BRIEFS  
AND ANNEXES**

**Counsel for Gaspard Kanyarukiga**

Mr. David Jacobs

Mr. David Paciocco

**Office of the Prosecutor**

Mr. Hassan Bubacar Jallow

Mr. James Arguin

Ms. Deborah Wilkinson

Ms. Amina Buruma

Ms. Lydia Mugambe

Ms. Ndèye Marie Ka

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: KAFEL... KUMELIO... A... AFANDE...

SIGNATURE: [Signature] DATE: 09 May 2011

**I, PATRICK ROBINSON**, Presiding 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,<sup>1</sup>

**NOTING** that Trial Chamber II of the Tribunal pronounced its judgement in this case on 1 November 2010 and filed the written Judgement on 9 November 2010;<sup>2</sup>

**NOTING** that Gaspard Kanyarukiga ("Kanyarukiga") filed his "Notice of Appeal" on 9 December 2010 and his "Confidential Appellant Brief" with four Annexes on 20 April 2011 ("Kanyarukiga Appeal Brief");

**NOTING** that the Prosecution filed the "Prosecutor's Notice of Appeal" and the "Prosecutor's Appellant's Brief" on 10 December 2010 and 23 February 2011, respectively; that Kanyarukiga filed the "Defence Respondent's Brief" with confidential Annex I on 4 April 2011 ("Kanyarukiga Response Brief"); and that the Prosecution filed the "Prosecution's Reply Brief" on 19 April 2011;

**CONSIDERING** that all submissions filed before this Tribunal shall be public unless there are exceptional reasons for keeping them confidential and that parties shall file public redacted versions of all confidential briefs filed on appeal;<sup>3</sup>

**HEREBY ORDER** Kanyarukiga to file, by no later than 18 May 2011, public redacted versions of his Appeal Brief with its four Annexes and Annex I to his Response Brief or to indicate that the confidentiality of his briefs and annexes can be lifted, if there is no basis for maintaining the confidentiality thereof; and

<sup>1</sup> Order Assigning a Pre-Appeal Judge, 14 January 2011.

<sup>2</sup> *The Prosecutor v. Gaspard Kanyarukiga*, Case No. ICTR-02-78-T, Judgement and Sentence, dated 1 November 2010, filed on 9 November 2010.

<sup>3</sup> See Rule 78 of the Rules of Procedure and Evidence of the Tribunal. See also *Dominique Ntawukulilyayo v. The Prosecutor*, Case No. ICTR-05-82-A, Decision on Prosecution's Request for Public Filings, 15 April 2011, p. 1, referring to *Tharcisse Renzaho v. The Prosecutor*, Case No. ICTR-97-31-A, Order Regarding Filings, 10 May 2010, p. 1, *Ferdinand Nahimana et al. v. The Prosecutor*, Case No. ICTR-99-52-A, Order to Appellant Hassan Ngeze to File Public Versions of his Notice of Appeal and Appellant's Brief, 30 August 2007, p. 2.

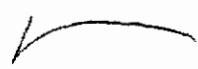
**ORDER** Kanyarukiga to clearly mark the redactions in the text of the public versions of his briefs and annexes, and to *limit redactions* to confidential information, including the identities of protected witnesses, and not make any additions, deletions, or other amendments.

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

Done this ninth day of May 2011  
At The Hague,  
The Netherlands.



[Seal of the Tribunal]

  
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Judge Patrick Robinson  
Pre-Appeal Judge