



Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

**17993/H**

**ICTR-98-42-A**

**14<sup>th</sup> Oct. 2014**

**{17993/H - 17992/H}**

**IN THE APPEALS CHAMBER**

**Before:** Judge Fausto Pocar, Pre-Appeal Judge

**Registrar:** Mr. Bongani Majola

**Order of:** 14 October 2014

ICTR Appeals Chamber  
14 OCT 2014  
Date: *June R*  
Action: *Chambers Defina*  
Copied To: *V.P. MASUKA*

**THE PROSECUTOR**

v.

**Pauline NYIRAMASUHUKO  
Arsène Shalom NTAHOBALI  
Sylvain NSABIMANA  
Alphonse NTEZIRYAYO  
Joseph KANYABASHI  
Élie NDAYAMBAJE**

*Case No. ICTR-98-42-A*

**ORDER TO RE-FILE**

**Counsel for Pauline Nyiramasuhuko**

Nicole Bergevin and Guy Poupart

**Counsel for Arsène Shalom Ntahobali**

Normand Marquis and Mylène Dimitri

**Counsel for Sylvain Nsabimana**

Josette Kadji and Pierre Tientcheu Weledji

**Counsel for Alphonse Nteziyayo**

Frédéric Titinga Pacéré and  
Gershon Otachi Bw'Omanwa

**Counsel for Joseph Kanyabashi**

Michel Marchand and Alexandra Marcil

**Counsel for Élie Ndayambaje**

Pierre Boulé and Claver Sindayigaya

**Office of the Prosecutor**

Hassan Bubacar Jallow

James Arguin

Deborah Wilkinson

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 MUZIGO-MORRISON*  
SIGNATURE: *[Signature]* DATE: *14/10/14*

*[Handwritten mark]*

I, **Fausto POCAR**, 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** the “*Requête de Sylvain Nsabimana aux fins de disjonction de l’instance*” filed by Sylvain Nsabimana (“Nsabimana”) on 13 October 2014 (“Motion”);

**RECALLING** that, pursuant to paragraph A of the Practice Direction on the Length of Briefs and Motions on Appeal of 8 December 2006 and paragraph 18 of the Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings Before the Tribunal of 8 December 2006, filings must be paginated and pages and paragraphs must be numbered consecutively from the beginning to the end;

**NOTING** that the Motion is not paginated and does not include paragraph numbers;

**CONSIDERING** therefore that the Motion does not comply with the formal requirements provided for in the above-mentioned practice directions;<sup>2</sup>

**FINDING** therefore that the Motion is not validly filed;

**HEREBY ORDER** Nsabimana to re-file his Motion in compliance with the above-mentioned practice directions no later than 17 October 2014; and

**INSTRUCT** him to strictly abide by the practice directions applicable on appeal in any future filing.

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

Done this fourteenth day of October 2014,  
at The Hague,  
The Netherlands.



[Seal of the Tribunal]

Judge Fausto Pocar  
Pre-Appeal Judge

<sup>1</sup> Order Assigning a Pre-Appeal Judge, 21 July 2011.

<sup>2</sup> I note that it is the second time that Nsabimana files a motion that fails to include paragraph numbers as prescribed by the practice directions. See Sylvain Nsabimana’s Application for Provisional Release, 3 March 2014 (confidential; original French version filed on 14 February 2014).