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UNITED  
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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

Case No: ICTR-97-19-AR72

Date: 17 December 1999

Original: French

IN THE APPEALS CHAMBER

**Before:** Judge Claude Jorda, Presiding  
Judge Lal Chand Vohrah  
Judge Mohamed Shahabuddeen  
Judge Wang Tieya  
Judge Rafael Nieto-Navia

**Registrar:** Mr. Agwu U. Okali

**Decision of:** 17 December 1999

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CRIMINAL REGISTRY  
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**JEAN-BOSCO BARAYAGWIZA**

v.

**THE PROSECUTOR**

SCHEDULING ORDER

Counsel for the Appellant:  
Mr. Justry P. L. Nyaberi

The Office of the Prosecutor:  
Madam Carla Del Ponte

**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 (“the Appeals Chamber” and “the Tribunal” respectively),

**NOTING** the “Prosecutor’s Motion for Review or Reconsideration of the Appeals Chamber Decision rendered on 3 November 1999 in *Jean-Bosco Barayagwiza v. the Prosecutor* and Request for Stay of Execution” filed on 1 December 1999;

**NOTING** the Order issued on 8 December 1999 (“the Order”);

**NOTING** the “Extremely Urgent Motion of the Defence Challenging the Jurisdiction of the Appeals Chamber to Entertain the Review Proceedings”, the “Extremely Urgent Motion of the Defence in Opposition to the Request by the Government of the Republic of Rwanda for Leave to Appear as Amicus Curiae pursuant to Rule 74”, the “Extremely Urgent Motion of the Defence for the Clarification and Interpretation of the Appeals Chamber Order of 8 December 1999”, and the “Extremely Urgent Motion of the Defence for the Appellant to Give Oral Testimony during the Hearing of the Review on Facts of his Illegal Detention as Proved in the Decision of 3<sup>rd</sup> November 1999” filed by the Appellant, Jean-Bosco BARAYAGWIZA on 10 December 1999;

**CONSIDERING** that both parties are filing their documents in the English language;

**HEREBY MODIFIES** the Order as follows:

- 1) With respect to paragraph 4 of the Order, the Appellant may file a response to the filings of the Prosecutor by 7 January 2000, including statements of any evidence he proposes to adduce at any oral hearing;
- 2) With respect to paragraph 5 of the Order, the Prosecutor may file a reply to any response filed by the Appellant by 14 January 2000;

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

s/  
Claude Jorda  
Presiding Judge

Dated this seventeenth day of December 1999  
At The Hague  
The Netherlands.

[Seal of the Tribunal]