



International Tribunal for the Prosecution of Persons  
Responsible for 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 1994 and 31 December 1994

Case No.: ICTR-98-39-A  
Date: 14 February 2000  
Original: French

**IN THE APPEALS CHAMBER**

**Before:** Judge Claude JORDA, Presiding  
Judge Lal Chand VOHRAH  
Judge Mohamed SHAHABUDEEN  
Judge Rafael NIETO-NAVIA  
Judge Fausto POCAR

**Registrar:** Mr Agwu U OKALI

**Decision of:** 14 February 2000

Omar SERUSHAGO  
(Appellant)  
v  
THE PROSECUTOR  
(Respondent)

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COU. TRIBUNAL  
INTERNATIONAL

**JUDGMENT**  
(APPEAL AGAINST SENTENCE)

*Counsel for the Appellant*  
Mr Mohamed ISMAIL

*Counsel for the Prosecutor*  
Mr Bernard MUNA  
Mr Mohamed OTHMAN  
Mr Upawansa YAPA  
Mr ZHU Wen-qi

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda  
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME  
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NAME / NOM: *Félicite T. Alimoudjane*  
SIGNATURE: *[Signature]* DATE: *15/2/2000*

**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 1994 and 31 December 1994,

**NOTING** that on 14 December 1998 Trial Chamber I found Omar SERUSHAGO (“the Appellant”) guilty on the count of genocide and on three counts of crimes against humanity (murder, extermination and torture);

**NOTING** that on 5 February 1999 Trial Chamber I sentenced the Appellant to a term of 15 years imprisonment for the totality of crimes of which he was found guilty;

**BEING SEISED** of the Appellant’s appeal against that sentence;

**CONSIDERING** the arguments of the parties made in open court today, 14 February 2000, the submissions in their written briefs, and the case file;

**NOW DECIDES** as follows:

- (1) The appeal is **DISMISSED**.
- (2) The Trial Chamber's sentence of 5 February 1999 is **AFFIRMED**.
- (3) **WRITTEN REASONS** for this judgment will follow as soon as possible.

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

(signed)

Claude JORDA  
Presiding Judge

(signed)

Lal Chand VOHRAH  
Judge

(signed)

Mohamed SHAHABUDEEN  
Judge

(signed)

Raphael NIETO-NAVIA  
Judge

(signed)

Fausto POCAR  
Judge

Dated this fourteenth day of February 2000  
At Arusha,  
Tanzania.



[Seal of the Tribunal]