



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

## IN THE APPEALS CHAMBER

**Before:**

Judge Mohamed Shahabuddeen, Presiding  
Judge Mehmet Güney  
Judge Liu Daqun  
Judge Theodor Meron  
Judge Wolfgang Schomburg

**Registrar:** Mr. Adama Dieng

**Order of:** 8 December 2005

**Sylvestre GACUMBITSI**  
**(Appellant)**

**v.**

**THE PROSECUTOR**  
**(Respondent)**

*Case No. ICTR-2001-64-A*

---

### SCHEDULING ORDER

---

**Counsel for the Prosecution**

Mr. Hassan Bubacar Jallow  
Mr. James Stewart

**Counsel for the Appellant**

Mr. Kouengoua  
Ms. Anne Ngantio Mbattang

**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”);

**NOTING** the “Judgement” rendered in this case by Trial Chamber III on 17 June 2004;

**NOTING** the “*Acte d’appel*” filed by Sylvestre Gacumbitsi (“Appellant”) on 20 July 2004; the “*Mémoire de l’appellant*” filed by the Appellant on 4 October 2004; the

“Respondent’s Brief” filed by the Prosecution on 12 November 2004; and the “*Mémoire en réplique*” filed by the Appellant on 1 April 2005;

**NOTING FURTHER** the “Prosecution’s Amended Notice of Appeal” filed on 16 December 2004; the “Appellant’s Brief” filed by the Prosecution on 28 September 2004; the “*Mémoire de l’intimé*” filed by Sylvestre Gacumbitsi on 10 January 2005; and the “Prosecution’s Reply to Defence’s Response” filed on 19 January 2005;

**CONSIDERING** that the filing of the briefs in these appeals is complete and that no other motion is currently pending in this case;

**RECALLING** that in a letter filed on 21 October 2005 the Appeals Chamber enquired with Mr. Kouengoua as to his availability for hearings in this case from 8 to 10 February 2006 and that the Appeals Chamber has not received an answer;

**HEREBY ORDERS** that the hearings of the appeals shall take place on Wednesday, 8 February 2006, and Thursday, 9 February 2006, in Arusha, Tanzania;

**INFORMS** the parties that the timetable of the hearings will be as follows:

Wednesday, 8 February 2006:

The Appeal of Sylvestre Gacumbitsi

|                                       |  |
|---------------------------------------|--|
| 2:00 p.m. – 2:15 p.m.<br>(15 minutes) | Introductory Statement by the Presiding Judge (15 minutes)           |
| 2:15 p.m. – 4:15 p.m.                 | Submissions of the Appellant (2 hours)                               |
| 4:15 p.m. – 4:45 p.m.                 | <i>Pause (30 minutes)</i>  |
| 4:45 p.m. – 6:00 p.m.                 | Response of the Prosecution (1 hour and 15 minutes; to be continued) |

Thursday, 9 February 2006:

The Appeal of Sylvestre Gacumbitsi (continued)

|                         |   |
|-------------------------|---|
| 9:00 a.m. – 9:45 a.m.   | Continued Response of the Prosecution (45 minutes)  |
| 9:45 a.m. – 10:15 a.m.  | Reply by the Appellant (30 minutes)                 |
| 10:15 a.m. – 10:25 a.m. | Personal Address by Sylvestre Gacumbitsi (optional) |

The Appeal of the Prosecution

11:00 a.m. – 1:00 p.m. Submissions of the Prosecution (2 hours)

1:00 p.m. – 3:00 p.m. *Pause (2 hours)*

3:00 p.m. – 5:00 p.m. Response of the Appellant (2 hours)

5:00 p.m. – 5.30 p.m. *Pause (30 minutes)*

5:30 p.m. – 6.00 p.m. Reply by the Prosecution (30 minutes)

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

Dated this 8th day of December 2005

at The Hague,  
The Netherlands

---

Judge Mohamed Shahabuddeen  
Presiding

**(Seal of the Tribunal)**