



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

IN THE APPEALS CHAMBER

Before:

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

Registrar: Mr. Adama Dieng

Order of: 11 May 2006

EMMANUEL NDINDABAHIZI

(Appellant)

v.

THE PROSECUTOR

(Respondent)

Case No. ICTR-01-71-A

SCHEDULING ORDER

Counsel for the Prosecution

Mr. James Stewart
Mr. George Mugwanya
Mr. Abdoulaye Seye

Counsel for the Appellant

Mr. Michel Konitz
Ms. Magali Pirard

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 and Sentence” rendered in this case by Trial Chamber I on 15 July 2004;

NOTING the “*Acte d’appel*” filed by Emmanuel Ndindabahizi (“Appellant”) on 13 August 2004; the “*Mémoire d’appel*” filed by the Appellant confidentially on 9 May 2005; the “*Corrigendum au Mémoire d’appel*” filed by the Appellant on 14 June 2005; the “Respondent’s Brief” filed by the Office of the Prosecutor (“Prosecution”) on 17 June 2005; and the “*Réponse au Mémoire de l’Intimé*” filed by the Appellant on 14 November 2005;

CONSIDERING that the filing of the briefs in this appeal is complete;

CONSIDERING that pursuant to Rules 78 and 107 of the Rules of Procedure and Evidence (“Rules”), all proceedings before the Appeals Chamber, including the parties’ filings as part of the proceedings, shall be public unless there are exceptional reasons for keeping them confidential,^[1] and that parties shall file public redacted versions of all confidential briefs filed on appeal from the Trial Chamber’s judgement;^[2]

RECALLING that on 28 April 2006 Mr. Konitz, Appellant’s lead counsel, confirmed in writing his availability for the hearing in this case on 6 July 2006;

PURSUANT to Rule 114 of the Rules;

HEREBY ORDERS that the hearing of the appeal shall take place on Thursday, 6 July 2006, in Arusha, Tanzania;

INFORMS the parties that a letter will be sent in due course to the parties specifying issues that the parties will be invited to address during the hearing, without prejudice to any matter relevant to the appeal the parties or the Appeals Chamber may wish to raise;

SPECIFIES that the identification of such issues can in no way be interpreted as an expression of the Appeals Chamber’s opinion on the merits of the appeal;

INFORMS the parties that the timetable of the hearing will be as follows:

9:00 – 9:15	Introductory Statement by the Presiding Judge (15 minutes)
9:15 – 11:15	Submissions of the Appellant (2 hours)
11:15 – 11:45	<i>Pause (30 minutes)</i>
11:45 – 12:30	Response of the Prosecution (45 minutes; to be continued)
12:30 – 15:00	<i>Pause (2 hours and 30 minutes)</i>
15:00 – 16:15	Continued Response of the Prosecution (1 hour and 15 minutes)
16:15 – 16:45	<i>Pause (30 minutes)</i>

16:45 – 17:15 Reply by the Appellant (30 minutes)

17:15 – 17:25 Final Word (Personal Address) by Emmanuel Ndindabahizi
(optional); and

ORDERS the Appellant to file a public version of his “*Mémoire d’appel*” as soon as practicable wherein all confidential information, including the identity of protected witnesses, is duly redacted.

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

Dated this eleventh day of May 2006

at The Hague,

The Netherlands

Judge Wolfgang Schomburg
Presiding

(Seal of the Tribunal)

[\[1\]](#) Cf. Rule 75 of the Rules.

[\[2\]](#) Cf. *Prosecutor v. Mladen Naletilić and Vinko Martinović*, IT-98-34-A, Decision on Vinko Martinović’s Withdrawal of Confidential Status of Appeal Brief, 4 May 2005, p. 3.