



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

## IN THE APPEALS CHAMBER

**Before:** Judge Liu Daqun, Pre-Appeal Judge

**Registrar:** Mr. Adama Dieng

**Order of:** 13 June 2006

**Mikaeli MUHIMANA**  
(Appellant)

v.

**THE PROSECUTOR**  
(Respondent)

*Case No. ICTR-95-1B-A*

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## SCHEDULING ORDER

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### **Counsel for the Prosecution**

Mr. James Stewart  
Mr. François-Xavier Nsanzuwera  
Ms. Linda Bianchi

### **Counsel for the Appellant**

Professor Nyabirungu mwene Songa  
Mr. Kazadi Kabimba  
Mr. Mathias Sahinkuye

**I, LIU DAQUN**, 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 (“International Tribunal”) and the Pre-Appeal Judge in this case,[\[1\]](#)

**NOTING** that pursuant to Rule 108*bis* (B) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), “The Pre-Appeal Judge shall ensure that the proceedings are not unduly delayed and shall take any measures related to procedural matters, including the issuing of decisions, orders and directions with a view to preparing the case for a fair and expeditious hearing”;

**NOTING** the “Judgement and Sentence” rendered in this case by Trial Chamber III on 28 April 2005;

**NOTING** the “*Acte d’appel*” filed by Mikaeli Muhimana (“Appellant”) on 26 January 2006;<sup>[2]</sup> the “*Memoire d’appel*” filed by the Appellant on 12 April 2006; and the “*Memoire de l’intime*” filed by the Prosecution on 22 May 2006;

**NOTING** Rule 65bis and Rule 107 of the Rules which allow “the Appeals Chamber or an Appeals Chamber Judge” to convene a status conference, to organise exchanges between the parties in order to ensure expeditious appeal proceedings;

**CONSIDERING** that the Appellant is currently in detention at the United Nations Detention Facility in Arusha, Tanzania, pending the hearing of his appeal;

**CONSIDERING** that the physical presence of Defence Counsel is not required, and that by agreement with the parties, Defence Counsel’s attendance will be by telephone conference;<sup>[3]</sup>

**PURSUANT** to sub-Rule 65bis(B) of the Rules and after consulting the parties;

**HEREBY ORDER** that a Status Conference be held before me on 7 July 2006 at 1230hrs in Arusha, Tanzania.

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

Done this 13<sup>th</sup> day of June 2006,  
At The Hague,  
The Netherlands

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Judge Liu Daqun  
Pre-Appeal Judge

**[Seal of the International Tribunal]**

<sup>[1]</sup> Order Re-Assigning Judges to a Case Before the Appeals Chamber and Re-Appointing a Pre-Appeal Judge, 1 February 2006, p. 3.

<sup>[2]</sup> Pursuant to the Order Concerning the Filing of the Notice of Appeal, filed on 22 February 2006, the Pre-Appeal Judge directed the Registry to place the *Acte d’appel* under seal; on 24 April 2006, the Appellant filed, *Acte d’appel (Public et Caviarde)*.

<sup>[3]</sup> See Rule 65bis (C).