

428/H



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

ICTR-95-1B-A

14 August 2006

BEFORE THE PRE-APPEAL JUDGE (428/H - 427/H)

Before: Judge Liu Daqun,
Pre-Appeal Judge

Registrar: Mr. Adama Dieng

Decision of: 14 August 2006

ICTR Appeals Chamber
Date: 14 August 2006
Action: R.J.
Copied To: Concerned Judges,
Paris at SCAPLOS HQ
Archives

Mikaeli MUHIMANA
(Appellant)

v.

THE PROSECUTOR
(Respondent)

Case No. ICTR-95-1B-A

Adama Dieng
2006 AUG 15 A 8:30
JUDICIAL RECORDS/ARCHIVES RECEIVED

DECISION ON PROSECUTOR'S MOTION REQUESTING THE APPELLANT TO FILE A NON-CONFIDENTIAL APPEAL BRIEF

Office of the Prosecutor:

Mr. Hassan Bubacar Jallow
Mr. James Stewart
Ms. Linda Bianchi
Mr. François Xavier Nsanzuwera

Counsel for the Defence:

Professor Nyabirungu mwene Songa
Mr. Mathias Sahinkuye

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME
COPIE CERTIFIÉE CONFORME A L'ORIGINAL PAR NOUS
NAME / NOM: *KOFFI... KAMELID... A... AFANDE*
SIGNATURE: *[Signature]* DATE: *14 AUGUST 2006*

427/H

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 Serious Violations Committed in the Territory of Neighbouring States, between 1 January and 31 December 1994 ("Appeals Chamber" and "Tribunal", respectively);

NOTING the Judgement and Sentence of 28 April 2005 ("Judgement") rendered by Trial Chamber III finding Mikaeli MUHIMANA ("Appellant") guilty of genocide and crimes against humanity of rape and murder, and sentencing him to a single sentence of life imprisonment;

NOTING the Appellant's Appeal Brief which was filed confidentially with the Registry on 12 April 2006;

BEING SEIZED of the "Prosecutor's Motion Seeking an Appeals Chamber Order for the Appellant to File a Redacted and Non-Confidential Appeal Brief" filed on 27 April 2006 ("Motion");

NOTING that the Appellant has not filed a Response to the Motion;

FINDING that the confidential filing of the Appellant's Appeal Brief does not serve the interests of justice;

CONSIDERING the terms of Article 21 of the Statute of the Tribunal, and Rules 75 and 108 of the Rules of Procedure and Evidence of the Tribunal;

ORDERS the Appellant to file a public and redacted version of the Appeal Brief within 15 (fifteen) days of the filing of this Decision;

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

Done this 14th day of August 2006,
At The Hague,
The Netherlands.



[Seal of the Tribunal]


Judge Liu Daqun
Pre-Appeal Judge