



**Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda**

IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Liu Daqun
Judge Wolfgang Schomburg

Registrar: Mr. Adama Dieng

Decision of: 14 November 2006

Mikaeli MUHIMANA
(Appellant)

v.

THE PROSECUTOR
(Respondent)

Case No. ICTR-95-1B-A

SCHEDULING ORDER

Counsel for the Appellant

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

Counsel for the Prosecution

Mr. James Stewart
Ms. Linda Bianchi
Mr. Abdoulaye Seye
Mr. Francois Xavier Nsanzuwera

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”);

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

NOTING the “*Acte d’appel*” (“Notice of Appeal”)¹ and the “*Mémoire d’appel*” (“Appeal Brief”) filed by the Appellant on 26 January 2006 and 12 April 2006 respectively; and the “*Mémoire de l’intimé*” (“Respondent’s Brief”) filed by the Prosecution on 22 May 2006;

NOTING that the Appellant has not filed a brief in reply in accordance with Rule 113 of the Rules of Procedure and Evidence and that time for filing this brief has lapsed;²

HEREBY ORDERS that the appeal hearing in this case shall take place on Monday, 15 January 2007, in Arusha, Tanzania;

INFORMS the parties that the timetable of the hearing shall be as follows, subject to adjustments were appropriate:

9:00 a.m. – 9:15 a.m.	Introductory Statement by the Presiding Judge (15 minutes)
9:15 a.m. – 11:15 a.m.	Submissions of the Appellant (2 hours)
11:15 a.m. – 11:45 a.m.	<i>Pause (30 minutes)</i>
11:45 a.m. – 12:45 p.m.	Response of the Prosecutor (1 hour)
12:45 p.m. – 3:00 p.m.	<i>Pause (2 hours and 15 minutes)</i>
3:00 p.m. – 4:00 p.m.	Continued Response of the Prosecutor (1 hour)
4: 00 p.m. – 4:30 p.m.	<i>Pause (30 minutes)</i>

¹ On 24 April 2006, the Appellant filed, *Acte d’appel (Public et Caviardé)*.

² On 21 June 2006 the Pre-Appeal Judge ordered that the Appellant’s brief in reply, if any, shall be filed within fifteen days from the date of service of the French translation of the Respondent’s Brief on the Defence, and directed the Registry to inform the Appeals Chamber and the Prosecution when the French translation of the Respondent’s Brief has been served on the Defence, See “Decision on the Appellant’s Motion to Note the Failure to File the Respondent’s Brief within the Prescribed Time Limit” 11 September 2006, p. 3. The Registry advised the Appeals Chamber that the Respondent’s Brief was served on the Appellant on 16 October 2006, See “Registrar’s Submission Under Rule 33(b) of the Rules on Decision on the Appellant’s Motion to Note the Failure to File the Respondent’s Brief within the Prescribed Time Limit” 18 October 2006, para. 2. Accordingly, the time for filing the brief in reply expired on 31 October 2006.

4:30 p.m. – 5:00 p.m. Reply by the Appellant (30 minutes)

5: 00 p.m. – 5:15 p.m. Brief Personal Address by Mr. Mikaeli Muhimana
(optional)

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

Judge Fausto Pocar
Presiding

Dated this 14th day of November 2006,
at The Hague, The Netherlands.

F Seal of the Tribunal ğ