



Tribunal pénal international pour le Rwanda
International Criminal Tribunal for Rwanda

685/H

ICTR-05-88-A
02nd June 2010
{685/H - 684/H}

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Pre-Appeal Judge

Registrar: Mr. Adama Dieng

Decision of: 2 June 2010

CALLIXTE KALIMANZIRA

v.

THE PROSECUTOR

Case No. ICTR-05-88-A

DECISION ON KALIMANZIRA'S REQUEST TO POSTPONE THE APPEAL HEARING

Counsel for Callixte Kalimanzira:

Mr. Arthur Vercken
Ms. Anta Guissé

The Office of the Prosecutor:

Mr. Hassan Bubacar Jallow
Mr. Alex Obote-Odora
Ms. Dior Fall
Mr. Alphonse Van

ICTR Appeals Chamber
Date: 02nd June 2010
Action: R. Jura
Copied To: Lw. incc Judges, SLOs, LOs, ALOs, Parties, CMS, ISS.
Jura

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME
COPIE CERTIFIÉE CONFORME À L'ORIGINAL. PAR NOUS
NAME / NOM: KOFFI KUMELIE A. AELANDE
SIGNATURE: *[Signature]* DATE: 02 JUNE 2010

I, **Theodor Meron**, 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 ("Tribunal") and Pre-Appeal Judge in this case;

RECALLING the Scheduling Order issued on 20 May 2010 which set the date of the appeal hearing in this case for Monday, 14 June 2010, in Arusha, Tanzania;

BEING SEIZED OF the "*Requête en ajournement d'audience d'appel suite à l'arrestation au Rwanda de Me Peter Erlinder*", filed on 1 June 2010 by Mr. Kalimanzira ("Motion");¹

NOTING the request to adjourn the hearing of the appeals in this case *sine die* until the release of Mr. Peter Erlinder, a defence counsel representing Aloys Ntabakuze in another case before the Tribunal, who was reportedly arrested in Rwanda for allegedly violating that country's laws against negating the genocide;

CONSIDERING that the Motion is manifestly without merit and that Mr. Kalimanzira has failed to demonstrate how Mr. Erlinder's arrest in Rwanda impedes the ability of his counsel to fulfill their obligation to represent him and to comply with orders of the Tribunal related to the scheduling of proceedings in Arusha, Tanzania;

FOR THE FOREGOING REASONS

DISMISS the Motion;

REITERATE that the hearing of the appeals in this case will be held on Monday, 14 June 2010.

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

Done this 2nd day of June 2010,
At The Hague,
The Netherlands.



[Seal of the Tribunal]

Theodor Meron
Judge Théodor Meron
Presiding

¹ This decision has been taken without awaiting a response from the Prosecution in view of the lack of prejudice to it and the urgency in providing clarity to the parties with respect to scheduling of this case.