



UNITED NATIONS  
NATIONS UNIES

Tribunal pénal international pour le Rwanda  
International Criminal Tribunal for Rwanda

688/H

ICTR-05-88-A

3<sup>rd</sup> June 2010

{688/H – 686/H}

IN THE APPEALS CHAMBER

**Before:** Judge Theodor Meron, Presiding  
Judge Mehmet Güney  
Judge Fausto Pocar  
Judge Andréia Vaz  
Judge Carmel Agius

**Registrar:** Mr. Adama Dieng

**Order of:** 3 June 2010

**CALLIXTE KALIMANZIRA**

v.

**THE PROSECUTOR**

Case No. ICTR-05-88-A

**ORDER FOR THE PREPARATION OF 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: 23 <sup>rd</sup> June 2010
Action: R. Guiné
Copied To: Concerned Judges, SLDs, LOs, ALCs, Parties, CMS, LES

*Jallow*

International Criminal Tribunal for Rwanda Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME COPIE CERTIFIÉE CONFORMÉ À L'ORIGINAL PAR NOUS
NAME / NOM: KOFFI KUMELIO A. AFANDE
SIGNATURE: <i>[Signature]</i> DATE: 03 JUNE 2010

**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");

**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;

**EMPHASIZING** that the present order in no way expresses the Appeals Chamber's views on the merits of the appeal;

**HEREBY INFORMS** the parties that, during the course of the appeal hearing, in addition to other matters advanced by the parties in their submissions or that the Appeals Chamber may wish to raise, they are invited to:

(i) discuss, with references to the record, the sufficiency of the evidence concerning the commission of killings following the inauguration of Élie Ndayambaje;

(ii) discuss, with references to the record, the sufficiency of the evidence with respect to Prosecution Witness BWK's identification of Kalimanzira along the Gisagara-Kabuye road;

(iii) discuss, with references to the record, the notice provided to Kalimanzira by the summary of Prosecution Witness BXK's anticipated testimony annexed to the Prosecution Pre-Trial Brief for his involvement in the killings at the Butare-Gisagara roadblock, in particular bearing in mind the hospitalization of Kalimanzira's bi-lingual Lead Counsel during the first trial session, the timing of the filing of the French version of the Prosecution Pre-Trial Brief, the date when Witness BXK testified about this incident, the statements of the Prosecution at the status conference of 30 April 2008, and its opening statement on 5 May 2008;

(iv) discuss, with references to the record, the sufficiency of the evidence related to Kalimanzira's intent to directly and *publicly* incite genocide at the Jaguar and Kajyanama roadblocks in view of the *Nahimana et al.* Appeal Judgement;

(v) discuss, with references to the record, the sufficiency of the evidence with respect to Kalimanzira's participation in the public meeting at the Nyabisagara football field with particular emphasis on the Trial Chamber's discussion of the defence evidence;

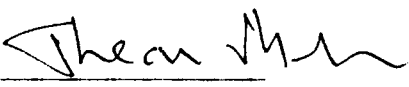
(vi) discuss, with references to the record, the sufficiency of the evidence with respect to Prosecution Witness BDK's identification of Kalimanzira at the May 1994 public meeting in the Gisagara marketplace;

(vii) discuss, with references to the record, whether Prosecution Witness BWO's account of Kalimanzira's actions during the attack at Kabuye hill amounts to evidence of ordering.

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

Done this 3rd day of June 2010,  
At The Hague,  
The Netherlands.



  
Judge Theodor Meron  
Presiding

[Seal of the Tribunal]