

UNITED  
NATIONS



Mechanism for International Criminal Tribunals

Case No. MICT-12-29-R  
Date: 22 November 2017  
Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Theodor Meron, Presiding  
Judge Joseph E. Chiondo Masanche  
Judge Aydin Sefa Akay  
Judge Aminatta Lois Runeni N'gum  
Judge Gberdao Gustave Kam

**Registrar:** Mr. Olufemi Elias

**Order of:** 22 November 2017

**PROSECUTOR**

v.

**AUGUSTIN NGIRABATWARE**

***PUBLIC***

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**SCHEDULING ORDER FOR REVIEW HEARING**

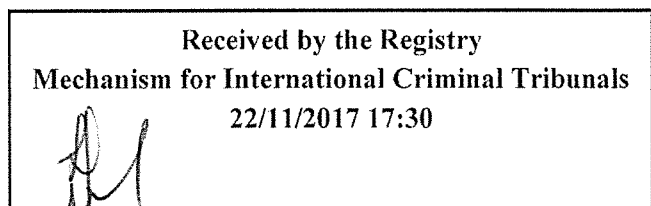
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**The Office of the Prosecutor:**

Mr. Serge Brammertz  
Mr. Mathias Marcussen

**Counsel for Augustin Ngirabatware:**

Mr. Peter Robinson



**THE APPEALS CHAMBER** of the International Residual Mechanism for Criminal Tribunals (“Appeals Chamber” and “Mechanism”, respectively);<sup>1</sup>

**RECALLING** that, on 18 December 2014, the Appeals Chamber: (i) affirmed Augustin Ngirabatware’s convictions for committing direct and public incitement to commit genocide and instigating and aiding and abetting genocide; (ii) reversed Ngirabatware’s conviction for rape as a crime against humanity; and (iii) imposed a sentence of 30 years of imprisonment;<sup>2</sup>

**RECALLING** that, on 19 June 2017, the Appeals Chamber granted Ngirabatware’s request for review of his convictions, finding that in view of new information of an evidentiary nature, which constitutes a new fact for the purpose of Rule 146 of the Rules of Procedure and Evidence (“Rules”), a review of the Appeal Judgement is warranted;<sup>3</sup>

**RECALLING** further that the Appeals Chamber determined that a hearing should be held, pursuant to Rule 147 of the Rules, to allow the parties to provide supporting and rebuttal evidence concerning the new fact (“Review Hearing”);<sup>4</sup>

**PURSUANT** to Article 24 of the Statute and Rules 55 and 147 of the Rules;

**HEREBY ORDERS** that the Review Hearing shall be held from Thursday, 8 February 2018, until Friday, 16 February 2018, at the Mechanism’s branch in Arusha, Tanzania; and

**INFORMS** the parties that the modalities of the Review Hearing, including a detailed timetable and witness schedule, will be determined in due course.

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

Done this 22nd day of November 2017  
At The Hague,  
The Netherlands



[Seal of the Mechanism]

*Theodor Meron*

Judge Theodor Meron, Presiding

<sup>1</sup> See Order Assigning Judges to Consider a Case Before the Appeals Chamber, 25 July 2016, p. 2.

<sup>2</sup> *Augustin Ngirabatware v. The Prosecutor*, Case No. MICT-12-29-A, Judgement, 18 December 2014 (“Appeal Judgement”), para. 279. See also *The Prosecutor v. Augustin Ngirabatware*, Case No. ICTR-99-54-T, Judgement and Sentence, pronounced on 20 December 2012 and issued in writing on 21 February 2013, para. 1394.

<sup>3</sup> Decision on Ngirabatware’s Motion for Review, 19 June 2017 (public and redacted) (“Review Decision”), pp. 2, 3.

<sup>4</sup> Review Decision, p. 3.



**TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH THE  
MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS/  
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<b>Case Name/ Affaire :</b>	Prosecutor v. Augustin Ngirabatware		<b>Case Number/ Affaire n° :</b> MICT-12-29-R
<b>Date Created/ Daté du :</b>	22 November 2017	<b>Date transmitted/ Transmis le :</b> 22 November 2017	<b>No. of Pages/ Nombre de pages :</b> 2
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Rev: April 2014/Rév. : Avril 2014