

ICTR-99-52-T  
(31952-31948)  
26/03/03

31952



UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal Pénal International pour le Rwanda

**TRIAL CHAMBER I**

Original: English

**Before:** Judge Navanethem Pillay, Presiding  
Judge Erik Møse  
Judge Asoka de Zoysa Gunawardana

**Registry:** Mr. Adama Dieng

**Date of Order:** 26 March 2003

JUDICIAL RECORDS DIVISION  
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**THE PROSECUTOR  
V.**

**Ferdinand Nahimana, Hassan Ngeze and Jean - Bosco Barayagwiza**  
(Case No. ICTR-99-52-T)

**SCHEDULING ORDER**

**The Office of the Prosecutor**

Mr. Stephen Rapp  
Mr. William Egbe  
Ms. Simone Monasebian  
Ms. Charity Kagwi

**Counsel For The Accused**

Mr. Jean-Marie Biju-Duval  
Ms. Diana Ellis, Q.C.  
Mr. John Floyd, III  
Mr. Rene Martel  
Mr. Giacomo Barletta-Caldarera

**CONSIDERING** the Trial Chamber's decision on 3 October 2002 in which the Chamber stipulated the disclosure requirements for the Defence;

**CONSIDERING** the Chamber's Decision on the Expert Witnesses for the Defence dated 24 January 2003, and the Decision to Reconsider this said decision;

**FOLLOWING** the status conference of Wednesday 11 December 2002 in which Counsel for Hassan Ngeze and Counsel for Ferdinand Nahimana informed the Chamber of the anticipated witnesses for the Accused; the status conference of Thursday 12 December 2002 in which Counsel Ellis underscored the necessity of calling Witness SM on behalf of Ferdinand Nahimana; the status conference of Friday 30 January 2003 in which Defence Counsel made representations concerning their Expert Witnesses; and the status conference of 21 March 2003 in which Defence Counsel informed the Chamber of their plans for the hearing of their remaining witnesses;

The Trial Chamber, pursuant to Rules 54 and 73<sup>ter</sup> of the Rules of Procedure and Evidence of the Tribunal ("the Rules") **HEREBY** issues the following Scheduling Order.

1. *Court Times:*                    **Monday to Friday 0900 to 1700;**  
    **Break                                    1100 to 1115;**  
    **Lunch break                        1300 to 1430.**
2. *Official Holiday*                **Friday 12 May 2003 (Maulid Day)**

**Monday 24 March 2003**

0900 to 1100: RM-117's Testimony (includes Cross-Examination and Redirect).  
 1130 to 1700: Hassan Ngeze's Direct Examination.

**Tuesday 25 March 2003**

0900 to 1700: Hassan Ngeze's Direct Examination.

**Wednesday 26 March 2003**

0900 to 1700: Hassan Ngeze's Direct Examination.

**Thursday 27 March 2003**

0900 to 1700: Hassan Ngeze's Direct Examination.

**Friday 28 March 2003**

0900 to 1300: Hassan Ngeze's Direct Examination.

**Monday 31 March 2003**

0900 to 1700: Cross-Examination of Ngeze by Prosecution.

**Tuesday 1 April 2003**

0900 to 1700: Cross-Examination of Ngeze by Prosecution.

**Wednesday 2 April 2003**

0900 to 1700: Cross-Examination of Ngeze by Prosecution.

**Thursday 3 April 2003**

0900 to 1700: Cross-Examination of Ngeze by the Nahimana and Barayagwiza Defence.

**Friday 4 April 2003**

0900 to 1030: Redirect of Hassan Ngeze.  
1030 to 1300: Questions from the Bench.

**Monday 7 April 2003**

0900 to 1700: Witness SM's Testimony (Direct Examination and Cross-Examination).

**Tuesday 8 April 2003**

0900 to 1700: Witness SM's Testimony (continued Cross-Examination).

**Wednesday 9 April 2003**

0900 to 1700: Witness SM's Testimony (continued Cross-Examination and Redirect).

**Thursday 10 April 2003**

0900 to 1700: Dr. Fernand Goffioul's Testimony (Direct Examination and Cross-Examination).

**Friday 11 April 2003**

0900 to 1300: Dr. Fernand Goffioul's Testimony (Continued Cross-Examination and Redirect).

*End of Session*

**Monday 28 April 2003**

0900 to 1700: John Adams's Testimony (Direct Examination, Cross-Examination and Redirect).

**Tuesday 29 April 2003**

0900 to 1700: Dr Roger Shuy's Testimony (Direct Examination).

**Wednesday 30 April 2003**

0900 to 1700: Dr. Roger Shuy's Testimony (Cross-Examination and Redirect).

**Thursday 1 May 2003**

0900 to 1700: Military Expert's Testimony (Direct Examination and Cross-Examination).

**Friday 2 May 2003**

0900 to 1300: Military Expert's Testimony (Continued Cross-Examination and Redirect).

**Monday 5 May 2003**

0900 to 1700: Caddick-Adams's Testimony (Direct Examination and Cross-Examination).

**Tuesday 6 May 2003**

0900 to 1300: Caddick-Adams's Testimony (Continued Cross-Examination and Redirect).

1430 to 1700: Barrie Collins's Testimony (Direct Examination).

**Wednesday 7 May 2003**

0900 to 1300: Barrie Collins's Testimony (Cross-Examination and Redirect).

1430 to 1700: JF55's Testimony (Direct Examination, Cross-Examination and Redirect).

*Tentative close of case*

The Trial Chamber recalls its decision dated 3 October 2002 and orders that the names, curriculum vitae and Reports of each Expert witness be furnished by the Defence to the Prosecutor and other Defence Counsel not less than twenty-one days prior to the date on which the Expert is expected to testify, as provided under Rule 94bis.

If Defence witnesses are to make any depositions, the Defence must finalize arrangements with the Chamber by 11 April 2003.

As for the remaining factual witnesses requested by Hassan Ngeze, the Chamber makes the following directions:

- i) Substantial summaries of the anticipated testimony of these witnesses are to be provided to the Chamber and other parties by Friday 4 April 2003;
- ii) The Chamber will then determine the list of witnesses to be called and will hear any such witnesses from 8 May 2003; and
- iii) Unredacted statements of any witnesses on this list are to be provided to the Chamber and other parties by 11 April 2003.

To accommodate Nahimana's request to submit documents, the Chamber will schedule time within the framework of the above schedule, provided that all such documents are to be submitted by the close of the case.

*Filing of Closing Briefs*

**16 June 2003**

Prosecution to file its Closing Brief.

**16 July 2003**

All Defence Teams to file their Closing Briefs.

**31 July 2003**

Prosecution to file Response, if any, to the Defence's Closing Briefs.

**18 & 19 August 2003**

Prosecution's Closing Arguments.

**20 August 2003**

Nahimana Defence's Closing Arguments.

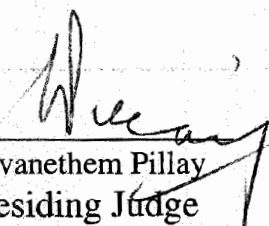
**21 August 2003**

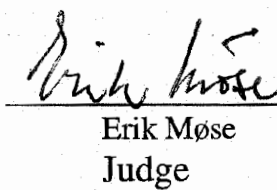
Ngeze Defence's Closing Arguments.

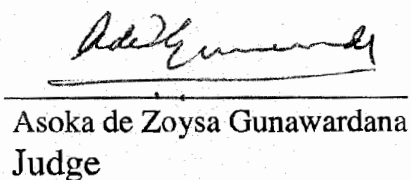
**22 August 2003**

Barayagwiza Defence's Closing Arguments and Prosecution's Response.

Arusha, 26 March 2003.

  
Navanethem Pillay  
Presiding Judge

  
Erik Møse  
Judge

  
Asoka de Zoysa Gunawardana  
Judge

Seal of the Tribunal