

ICTR-98-42-T
(2.7.2003
(7398 — 7399))
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

7398
amlyg.

Or: ENG

TRIAL CHAMBER II

Before: Judge William H Sekule, *Presiding*
Judge Arlette Ramaroson

Registrar: Mr Adama Dieng

Date: 2 July 2003

The PROSECUTOR v Pauline NYIRAMASUHUKO & Arsène Shalom NTAHOBALI
Case No. ICTR-97-21-T

The PROSECUTOR v Sylvain NSABIMANA & Alphonse NTEZIRYAYO
Case No. ICTR-97-29A&B-T

The PROSECUTOR v Joseph KANYABASHI
Case No. ICTR-96-15-T

The PROSECUTOR v Elie NDAYAMBAJE
Case No. ICTR-96-8-T

[Joint Case No. ICTR-98-42-T]

INTERNATIONAL RECORDS MANAGEMENT
SECTION
2003 JUL 21 P 4:01
ICTR

FURTHER SCHEDULING ORDER IN THE MATTER OF PROCEEDINGS UNDER
RULE 15BIS(D)

Prosecution Counsel

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Defence Counsel for Nsabimana

Josette KADJI
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Defence Counsel for Nteziryayo

Titinga Frédéric PACERE
Richard PERRAS

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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (the 'Tribunal'),

SITTING as Trial Chamber II composed of Judges William H SEKULE, *Presiding*, and Arlette RAMAROSON (the 'Chamber'), pursuant to Rule 15*bis*(D) of the Rules of Procedure and Evidence;

RECALLING the Scheduling Order issued on 26 June 2003;

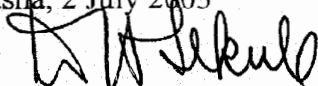
NOTING that in certain processes filed since that Scheduling Order, the point was made that in the Scheduling Order, the Chamber is presumed to have settled the question whether the new Rule 15*bis*(D) applies for purposes of the Scheduling Order, thereby rendering that particular question moot;¹

MINDFUL of the need to clarify the matter for purposes of the record;

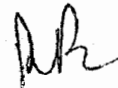
HEREBY,

- I. **RULES** that the Chamber has not decided upon the question whether the amended Rule 15*bis*(D) is applicable to the *Butare* Case in the present circumstances;
- II. **DIRECTS** that the Parties may, if they see fit, include that discussion in the submissions called for by the Scheduling Order of 26 June 2003;
- III. **REAFFIRMS** the substance of the Scheduling Order of 26 June 2003, including the deadlines therein set, as well as the direction that the Parties who have in the meantime filed motions dealing with the provisions of Rule 15*bis*(D) in a manner relevant to the subject matter of this Scheduling Order may choose only to indicate themselves as adopting the submissions contained in those motions, for purposes of this Scheduling Order.

Arusha, 2 July 2003



William H Sekule
Presiding Judge



Arlette Ramaroson
Judge

¹ See (a) the 'Prosecutor's Response to Kanyabashi's Urgent Motion Seeking a Ruling in Respect of His Motion dated 15 June and Declaration as to whether the Amended Rule 15*bis* Should be Given Effect,' filed on 30 June 2003; and (b) the 'Prosecutor's Response to Nteziryayo's Motion Seeking Appointment of Third Judge, Declaration that Amended Rule 15*bis* Should Not Apply and that the Former Rule 15*bis* Should be Given Effect,' filed on 30 June 2003.