



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER II

Before:

Judge Asoka de Silva, Presiding
Judge Flavia Lattanzi

Registrar: Mr Adama Dieng

Date: 11 May 2005

THE PROSECUTOR
vs.
THARCISSE MUVUNYI

ICTR-2000-55A-T

**SCHEDULING ORDER ON THE DISCLOSURE OF ADDITIONAL
WITNESSES' STATEMENTS**

Office of the Prosecutor

Mr Charles Adeogun-Phillips, Senior Trial Attorney
Ms Adesola Adeboyejo, Trial Attorney
Ms Renifa Madenga, Assistant Trial Attorney
Mr Dennis Mabura, Case Manager

Counsel for the Accused Person

Mr William E. Taylor, Lead Counsel
Mr Jean Flamme, Co-Counsel
Ms. Cynthia Cline
Ms. Veronique Pandanzyla

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (the “Tribunal”),

SITTING as Trial Chamber II composed of Judge Asoka de Silva, Presiding, and Judge Flavia Lattanzi (the “Chamber”);

BEING SEISED of the Prosecution’s letter addressed to “The Trial Chamber Co-ordinator, Trial Chamber II”, filed on 10 May 2005 (the “Letter”) in which the Prosecution indicated, among other things, that following the Chamber’s order of 24 March 2005, it undertakes to call five additional witnesses to prove the counts of rape and other inhumane acts **after** all previous witnesses scheduled for the next trial session have been called;

CONSIDERING the Statute of the Tribunal (the “Statute”) and the Rules of Procedure and Evidence (the “Rules”), in particular Rules 54, 66, 69 and 75 of the Rules;

RECALLING

(i) The Chamber’s Decision of 24 March 2005 directing the Prosecution to present only those additional witnesses who will support Count 4 and Count 5 of the Indictment;[\[1\]](#)

(ii) The Chamber’s Decision of 25 April 2001 confirming the Tribunal’s jurisprudence according to which the deadline for disclosure should be set at least twenty-one days prior to the day on which the witness is to testify;[\[2\]](#)

NOTING

(iii) That the Prosecution has not disclosed the statements of these five new witnesses to the Defence;

(iv) That the Chamber intends to conclude the Prosecution’s case by late June or early July 2005;

FOR THE ABOVE REASONS THE TRIBUNAL HEREBY

ORDERS the Prosecution, pursuant to Rule 54, to disclose the unredacted statements of all witnesses **before** the commencement of the next session on Monday, 16 May 2005.

Arusha, 11 May 2005

Asoka de Silva
Presiding Judge

Flavia Lattanzi
Judge

[Seal of the Tribunal]

[1] *The Prosecutor v. Tharcisse Muvunyi*, “Decision on the Prosecutor’s Very Urgent Motion Pursuant to Rule 73 bis (E) for Leave to Vary the Prosecutor’s List of Witnesses Filed on 19 January, 2005”, 24 March 2005.

[2] *The Prosecutor v. Tharcisse Muvunyi et al.*, “Decision on the Prosecutor’s Motion for Orders for Protective Measures for Victims and Witnesses to Crimes Alleged in the Indictment”, 25 April 2001, p. 8, para. 26.