



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding

Registrar: Adama Dieng

Date: 10 October 2005

THE PROSECUTOR

v.

André RWAMAKUBA

Case No. ICTR-98-44C-T

SCHEDULING ORDER

Rules 54 and 73ter of the Rules of Procedure and Evidence

Office of the Prosecutor:

Don Webster

Dior Fall

Iain Morley

Adama Niane

Tamara Cummings-John

Defence Counsel

David Hooper

Andreas O'Shea

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

SITTING as Trial Chamber III, composed of Judge Dennis C. M. Byron, sitting pursuant to Rule 54 of the Rules of Procedure and Evidence (“Rules”);

CONSIDERING the Status Conference in the current proceedings held on 7 October 2005 in accordance with Rule 65*bis* of the Rules;

CONSIDERING that, at the said Status Conference, the Defence undertook to file forthwith a list of Defence witnesses, the witness details, including their identity, and a summary of the facts on which each of them will testify;

CONSIDERING that on 10 October 2005, the Defence sent by email the above-mentioned list and information to the attention of the Prosecution;

NOTING that, in addition, the Defence undertook to disclose any Defence witness statement as soon as possible and, in any case, twenty-one (21) days before the commencement of the Defence case, if these statements are already in possession of the Defence;

CONSIDERING that the Defence proposed to file a request to the attention of the Prosecution for admission of facts and law, no later than 19 October 2005;

NOTING that the Prosecution expressed the view that it would be in a position to reply to such a request within a week from its filing;

NOTING the agreement of the parties to resume the trial on 7 November 2005;

RECALLING the Chamber’s Decisions granting protective measures for Defence witnesses and on the Prosecution Motion for Disclosure of Defence Witness Statements;[\[1\]](#)

The Chamber **ORDERS** that

I. The Defence shall file a List of Exhibits stating where possible whether the Prosecution has any objection as to the authenticity, as prescribed under Rule 73*ter* (B)(iv) of the Rules, no later than 28 October 2005;

II. The Defence shall file any statement of admitted facts and law by both parties, as prescribed under Rule 73*ter*(B)(i) of the Rules, no later than 28 October 2005;

III. A Pre-Trial Conference, pursuant to Rule 73*ter* of the Rules, shall take place on 1 November 2005;

IV. The Defence case shall take place from 7 November to 16 December 2005 included.

Arusha, 10 October 2005, done in English.

Dennis C. M. Byron
Presiding Judge

[Seal of the Tribunal]

[\[1\]](#) *Prosecutor v. Rwamakuba*, Case No. ICTR-98-44C-T (“*Rwamakuba*”), Decision on Defence Motion for Protective Measures (TC), 21 September 2005; and Decision on Prosecution Motion for Disclosure of Witness List and Witness Statements (TC), 4 October 2005.