



UNITED NATIONS  
NATIONS UNIES

**International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda**

OR: ENG

**TRIAL CHAMBER III**

**Before Judge:** Inés Mónica Weinberg de Roca, Presiding  
Florence Rita Arrey  
Robert Fremr

**Registrar:** Adama Dieng

**Date:** 26 June 2007

**THE PROSECUTOR**

v.

**Simon BIKINDI**

*Case No. ICTR-2001-72-T*

**SCHEDULING ORDER**

*Rule 54 of the Rules of Procedure and Evidence*

**Office of the Prosecutor:**

William T. Egbe  
Sulaiman Khan  
Veronic Wright  
Patrick Gabaake  
Iain Morley  
Amina Ibrahim  
Gilain Disengi Mugeyo

**Defence Counsel:**

Andreas O'Shea  
Jean de Dieu Momo

1. On 22 February 2007, the Prosecution closed its case, after calling 20 witnesses in 32 days and entering 77 exhibits.<sup>1</sup>

2. The Defence case was originally scheduled to commence on Monday 11 June 2007.<sup>2</sup> On 7 May 2007, Co-Counsel Mr. Momo filed a motion to delay the proceedings by two months.<sup>3</sup> At the Status Conference of 15 May 2007, the newly appointed Lead Counsel for the Accused, Mr. Andreas O'Shea, requested that the proceedings commence in August 2007.<sup>4</sup>

3. The Chamber requested the Defence to file its list of witnesses and all particulars by 27 June 2007.<sup>5</sup> The Defence was further required to immediately provide its list of the 67 prospective witnesses to the Witness and Victims Support Section ("WVSS"), even if all the witnesses on the list may not be called.<sup>6</sup> The Chamber noted that insofar as a Pre-Defence Brief would not be provided and only very few Defence witnesses had given statements, the Defence was to provide the Chamber and the Prosecution with summaries of intended witness testimonies by 27 June 2007.<sup>7</sup> The Defence case would then not commence before 20 August 2007.<sup>8</sup>

4. After discussions with the Parties, and considering the availability of judicial resources, the Chamber:

- I. **ORDERS** that the Defence case be heard from 24 September 2007 to 9 November 2007;
- II. **ORDERS** the Defence to file the following requirements, pursuant to Rule 73 *ter* of the Rules, by 24 July 2007:
  - a. Admissions by the parties and a statement of other facts not in dispute;
  - b. A statement of contested matters of fact and law;
  - c. Its proposed list of witnesses including the name or pseudonym of each witness, the points in the Indictment concerning which each witness is expected to testify, the summary of the facts on which each witness is expected to testify, and the estimated duration of the length of examination of each witness;
- III. **ORDERS** that the Defence file the expected order of appearance of the witnesses scheduled to be heard during the Defence case by 13 August 2007; and

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<sup>1</sup> T. 22 February 2007, p. 2

<sup>2</sup> T. 15 May 2007, p 2

<sup>3</sup> *Modification à la requête aux fins de demander l'extension des délais de communication des moyens de preuves de Simon Bikindi en vertu de l'article 73 ter du Règlement de procédure et de preuve*, filed on 7 May 2007, paras. 1-2.

<sup>4</sup> T. 15 May 2007, p. 2.

<sup>5</sup> T. 15 May 2007, p. 5.

<sup>6</sup> T. 15 May 2007, p. 18.

<sup>7</sup> T. 15 May 2007, pp. 13-14.

<sup>8</sup> T. 15 May 2007, pp. 6, 19.

- IV. ORDERS** the Defence to continue to provide WVSS with necessary information in order to facilitate the presence of the Defence witnesses at the trial session to be held between 24 September and 9 November 2007.

Arusha, 26 June 2007, in English.

Inés Mónica Weinberg de Roca  
Presiding Judge

Florence Rita Arrey  
Judge

Robert Fremr  
Judge

[Seal of the Tribunal]