



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

OR: ENG

TRIAL CHAMBER III

Before the Judges:	Judge Inés Mónica Weinberg de Roca, Presiding Judge Florence Arrey Judge Robert Fremr	
Registrar:	Mr. Adama Dieng	
Date:	24 September 2007	

**THE PROSECUTOR
v.
SIMON BIKINDI
Case No. ICTR-01-72-T**

**ORAL DECISION – ORDER ON REDUCING THE TOTAL NUMBER OF
DEFENCE WITNESSES**

Office of the Prosecutor:

Mr. William Egbe
Mr. Peter Tafah

Counsel for the Defence:

Mr. Andreas O'Shea
Mr. Jean de Dieu Momo

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MADAM PRESIDENT:

So before we start, we will commence with an oral decision.

Mr. Issa? Can you hand out the copy to the interpreters and court reporters?

The Trial Chamber has considered the list of proposed witnesses to testify in the Defence of the Accused, Simon Bikindi, during the present session which commences today, 24th September, 2007. Forty-two Defence witnesses have been scheduled to appear before the Chamber, and the arrangements for the travel to the Tribunal have been made by the ICTR Witness and Victims Support Section. The Defence has also identified five reserve witnesses which it proposes to call in the event that one or more of the scheduled 42 witnesses, for any reason, be unavailable.

The Trial Chamber orders the Defence to further reduce the number of its proposed factual witnesses, noting that the Prosecution has called only 17 witnesses to testify about the alleged facts in the indictment.

In order that all necessary travel arrangements can be accomplished by the Witness and Victims Support Section for the appearance of all witnesses during the present session, the Trial Chamber requests the Defence to submit clear written notification no later than Friday, 28 September 2007, in respect of, A, identification of witnesses who have been dropped; B, the final reduced witness list; C, the final order of appearance of all Defence witnesses.

The Trial Chamber also reminds the Defence to file the CV and report by the expert witness, Mr. Eugene Mushimana (*phonetic*), by Friday of this week, the 28th of September.

Mr. O'Shea, we will -- this session will end on the 9th of November. We do not want to interfere with your management of the case, so it's up to you to call 42 or five witnesses, or whatever number you feel comfortable with, but there will not be a second session, so you

have to manage the time. If we are to have 42 witnesses, we have to, in principle, have at least two, if not three, witnesses testifying daily. I ask Mr. Egbe to see to it that cross-examination is not unduly extended so as to make this possible. The lesser witnesses, the more time it's possible to allocate to each of them.