



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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ICTR-00-55A-PT

3-12-2008

(27-26)

OR: ENG

TRIAL CHAMBER III

Before Judges: C. M. Dennis Byron, Presiding
Gberdao Gustave Kam
Vagn Joensen

Registrar: Adama Dieng

Date: 3 December 2008

JUDICIAL RECORDS/ARCHIVES
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THE PROSECUTOR

v.

Tharcisse MUVUNYI

Case No. ICTR-00-55A-PT

SCHEDULING ORDER FOR THE RETRIAL

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

Prosecution Counsel:
Mr. Charles Adeogun-Phillips

Defence Counsel:
Mr. William E. Taylor III
Ms. Abbe Jolles

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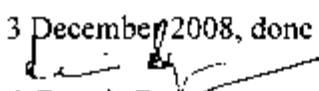
1. On 2 February 2000, Tharcisse Muvunyi was jointly indicted with two other military officers. He was arrested on 5 February 2000 in London (United Kingdom of Great Britain and Northern Ireland), and transferred to the Tribunal on 30 October 2000. On 11 December 2003, the Trial Chamber granted a Prosecution to serve the case against Tharcisse Muvunyi. A separate Indictment was filed on 23 December 2003. The Trial Chamber later rendered its Judgement on 12 September 2006, convicting the Accused for Counts 1 (Genocide), 3 (Direct and Public Incitement to Commit Genocide) and 5 (Other inhumane acts). He was sentenced to twenty-five year imprisonment. Both parties lodged appeal on various elements of the Judgement.

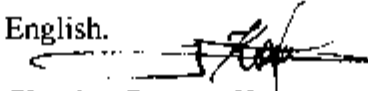
2. On 29 August 2008, the Appeals Chamber delivered its judgement granting all grounds of appeal and reversing the convictions. On Count 3, the Appeals Chamber ordered the retrial pursuant to Rule 118(C) of the Rules, limited to the allegation of participation in the meeting at Gikore Trade Center in May 1994.

3. On 28 November 2008, the Trial Chamber held a status conference. Having heard the parties and with their consent, the Trial Chamber, pursuant to Rules 54 and 73bis, made the following directions in view of the retrial:

- (a) The Prosecutor shall file, no later than on 5 December 2008, its pre-trial brief, addressing the factual and legal issues, any admission by the parties, a statement of contested matters of law and fact, a list of intended witnesses in the proposed order of appearance, a list of exhibits stating whenever possible whether the Defence has any objection to the authenticity, and any other material required in Rule 73bis;
- (b) The Defence shall file, within 21 days after the Prosecutor has complied with the order above, its pre-defence brief, any admission by the parties, a statement of contested matters of law and fact, a list of intended witnesses in the proposed order of appearance, a list of exhibits stating whenever possible whether the Prosecutor has any objection to the authenticity, and any other material required in Rule 73ter; and
- (c) The Parties shall be prepared for the commencement of the trial on 12 January 2009, and to complete the trial within two weeks time.

Arusha, 3 December 2008, done in English.


C.M. Dennis Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

[Seal of the Tribunal]

