



UNITED NATIONS
NATIONS UNIES

ICTR-98-44-T
27-1-2009
(44608-44606)

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2009
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OR: ENG

TRIAL CHAMBER III

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

Registrar: Adama Dieng

Date: 27 January 2009

THE PROSECUTION

v.

Édouard KAREMERA
Mathieu NGIRUMPATSE
Joseph NZIRORERA
Case No. ICTR-98-44-T

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SCHEDULING ORDER

Rule 54 of the Rules of Procedure and Evidence

Office of the Prosecution:

Don Webster
Iain Morley
Saidou N'Dow
Gerda Visser
Sunkarie Ballah-Conteh
Takeh Sendze

Defence Counsel for Édouard Karemera
Dior Diagne Mbaye and Félix Sow

Defence Counsel for Mathieu Ngirumpatse
Chantal Hounkpatin and Frédéric Weyl

Defence Counsel for Joseph Nzirorera
Peter Robinson and Patrick Nimy Mayidika Ngimbi

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1. The next session in this case is scheduled to start on 9 February 2009 with the continuation of the presentation of the defence case of Édouard Karemera.
2. The Chamber notes Mathieu Ngirumpatse's submissions on the resumptions of the trial¹ as well as Édouard Karemera's filing regarding the necessity of a status conference prior to the beginning of the next session.²
3. The Chamber also notes the updates on Mr. Ngirumpatse's health condition by the Chief Medical Officer of the Tribunal, including the latest report dated 26 January 2009.
4. It has come to the Chamber's attention that the Defence of Édouard Karemera has provided today the Witnesses and Victim Support Section ("WVSS") with the necessary information for this section to bring the Karemera Defence Witnesses to Arusha to testify. It is not clear whether the list of twelve witnesses provided to WVSS constitute the whole list of the remaining witnesses to be heard as it includes fewer witnesses than in former submissions by Édouard Karemera on the issue. For planning purposes, it is necessary that Édouard Karemera enlightens the Chamber on the exact number of witnesses remaining to be heard for his case.
5. The Chamber recalls the adjustments that were discussed during the hearing of 6 November 2008 regarding Mr. Ngirumpatse's ability to participate in his trial from the location where he receives his medical treatment. The Chamber is mindful that it would be preferable for it to sit three days a week, instead of four as was initially proposed, in order to provide Mr. Ngirumpatse with the best opportunity to participate in his defence while receiving his medical treatment.

¹ *Observations pour Mr. Ngirumpatse relativement à l'éventualité d'une reprise de la session le 9 février 2009*, filed on 22 January 2009.


² *Requête sur la nécessité d'une conférence de mise en état avant la reprise de la prochaine session*, filed on 26 January 2009.

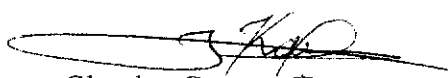
6. The Chamber recalls that WVSS must be provided with witnesses' information sufficiently in advance so it can bring witnesses to Arusha to testify.

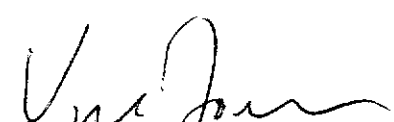
FOR THE THESE REASONS, THE CHAMBER

- I. **ORDERS** that the next trial session starts with a status conference on 9 February 2009 and that the first witness of this session will be heard on 12 February 2009;
- II. **DIRECTS** Édouard Karemera to provide the Chamber, by Friday 30 January 2009, with information regarding the exact number of remaining witnesses to be heard for his case; and
- III. **DIRECTS** the Registry to continue providing the best possible facilities to Mr. Ngirumpatse so he can participate in his defence.

Arusha, 27 January 2009, done in English.


Dennis C.M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

[Seal of the Tribunal]

