

ICTR-00-56-T  
18-03-2009  
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UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR: ENG

**TRIAL CHAMBER II**

**Before Judges:** Asoka de Silva, Presiding  
Taghrid Hikmet  
Seon Ki Park

**Registrar:** Adama Dieng

**Date:** 18 March 2009

**The PROSECUTOR**  
v.  
**Augustin NDINDILYIMANA**  
**Augustin BIZIMUNGU**  
**François-Xavier NZUWONEMEYE**  
**Innocent SAGAHUTU**  
*Case No. ICTR-00-56-T*

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**DECISION ON BIZIMUNGU'S URGENT REQUEST TO SUBMIT ADDITIONAL  
PAGES IN HIS CLOSING BRIEF**

**Office of the Prosecution:**

Mr Alphonse Van  
Mr Moussa Sefon  
Mr Lloyd Strickland  
Mr Abubacarr Tambadou  
Ms Faria Rekkas

**Counsel for the Defence:**

Mr Gilles St-Laurent and Mr Benoît Henry for Augustin Bizimungu  
Mr Christopher Black and Mr Vincent Lurquin for Augustin Ndindiliyimana  
Mr Charles Taku and Ms Beth Lyons for François-Xavier Nzuwonemeye  
Mr Fabien Segatwa and Mr Seydou Doumbia for Innocent Sagahutu

## INTRODUCTION

1. On 4 December 2008, the Chamber issued a Scheduling Order outlining, among other things, the format and the substance of the Closing Briefs in this case, which are to be filed on 31 March 2009. The Chamber ordered that the Closing Briefs for the Defence for Bizimungu and Ndindiliyimana should not exceed 250 pages. The Accused Nzuwonemeye and the Accused Sagahutu were ordered not to exceed 200 pages in their closing submissions.<sup>1</sup> The Defence for Bizimungu now requests the Chamber to extend the page limit of its Closing Brief from 250 to 400 pages.<sup>2</sup>

## DELIBERATIONS

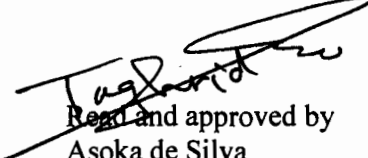
2. The Defence submits that although it has been working on its closing submissions in accordance with the Chamber's guidelines to avoid long summaries of evidence and legal issues, it will be impossible to comply with the Chamber's current page limit of 250 pages for its Closing Brief.

3. The Chamber is concerned with the late filing of this motion and the fairness to the co-Accused in this case, as well as the burden on the translation unit to complete the necessary translations prior to the hearing of the closing arguments on 24-26 June 2009. The Chamber finds that given that the Accused Bizimungu faces the highest number of allegations<sup>3</sup> and called the highest number of Defence witnesses<sup>4</sup>, it therefore should be allowed slightly more pages in order to make its closing submissions in an adequate manner.

## FOR THE FOREGOING REASONS, THE CHAMBER

**GRANTS** in part the Defence Motion and permits the Defence for Bizimungu to submit no more than 300 pages in its Closing Brief.

Arusha, 18 March 2009, done in English.

  
Read and approved by  
Asoka de Silva

Presiding Judge  
Absent at the time of  
Signature

  
Taghrid Tabet



[Seal of the Tribunal]

  
Seon Ki Park

Judge

<sup>1</sup> *Prosecutor v. Ndindiliyimana et. al.*, Case No. ICTR-2000-56-T, Scheduling Order (TC), 4 December 2008, Disposition A.

<sup>2</sup> *Requête en extrême urgence du Général Augustin Bizimungu en augmentation du nombre de pages de son mémoire final*, filed on 11 March 2009.

<sup>3</sup> Bizimungu faces eight charges in the Indictment; Ndindiliyimana faces six charges; Nzuwonemeye faces five charges; Sagahutu faces five charges.

<sup>4</sup> The Defence for Bizimungu called 44 witnesses; the Defence for Ndindiliyimana called 42 witnesses; the Defence for Nzuwonemeye called 30 witnesses; the Defence for Sagahutu called 28 witnesses.