



UNITED NATIONS  
NATIONS UNIES

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

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OR: ENG

**TRIAL CHAMBER II**

**Before Judges:** Arlette Ramaroson, presiding  
Taghrid Hikmet  
Joseph Masanche

**Registrar:** Adama Dieng

**Date:** 31 March 2009

**THE PROSECUTOR  
v.  
ILDEPHONSE HATEGEKIMANA**

**Case No. ICTR-00-55B-T**

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**ORAL DECISION ON DEFENCE MOTION TO SUSPEND PROCEEDINGS**

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**Office of the Prosecutor:**

William Egbe  
Peter Tafah  
Sulaiman Khan  
Adama Niane  
Guilain Disengi Mugeyo  
Amina Ibrahim

**Defence Counsel:**

A.R. Dovi  
Ata-Quam-Dovi-Avouyi

**Transcript Extract: 31 March 2009, p. 45, lines 3-28.**

MADAM PRESIDENT:

The following is the Chamber's decision on Defence motion made yesterday. I will read out the decision in English.

After consideration of the Defence oral submissions and the Prosecution's oral response on 30 of March 2009 to suspend the present proceedings, the Chamber finds as follows:

Recalling its earlier decision dated 16 of March regarding a similar request by the Defence for suspension of the trial, the Chamber considers that sufficient time has been afforded the parties for preparation of the case, which was originally scheduled to commence in January of this year.

The Chamber finds that there is no legal basis to adjourn the proceedings in order, in the words of the Defence, for the parties' contributions to be productive. The Defence request does not warrant an immediate suspension of the proceedings.

Furthermore, the Defence claim that they have reached their limits is without merit, given that this case commenced on 16 of March 2009 and that evidence has been heard only for eleven working days since the commencement of the trial. The Chamber notes that the Defence has submitted that the Accused is exhausted and traumatised. This claim will be considered only if supported by medical expertise.

Finally, concerning the Defence submission that the present session will not finish by 20 of April 2009, the Chamber observes that this date is not binding and that the session will be prolonged if circumstances warrant and if deemed appropriate.

The Chamber requests the parties to be prepared for a status conference at 8:45 a.m. tomorrow morning on 1st of April in regard to the schedule of testimonies of remaining Prosecution witnesses.

This is the Chamber's decision.