



ICTR-02-98-I
24-04-09
(1543 - 1544)

1546
PM

OR: ENG

TRIAL CHAMBER II

Before Judges: Emile Francis Short, Presiding
Seon Ki Park
Joseph Masanche

Registrar: Adama Dieng

Date: 24 April 2009

THE PROSECUTOR

v.

Gaspard KANYARUKIGA

Case No. ICTR-2002-78-I

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SCHEDULING ORDER FOLLOWING THE STATUS CONFERENCE

Office of the Prosecutor:

Hola Makwaia
Thembile Segoete
Didace Nyirinkwaya
Jonathan Moses

Defence Counsel:

David Jacobs
Paul Skolnik
Marc Nerenberg

INTRODUCTION

1. On 17 April 2009, the Chamber held a Status Conference to prepare for the commencement of the case. Having considered the submissions made during the Status Conference, the Chamber:

- I. **ORDERS** the Prosecution to present its case between 1 and 19 June 2009.
- II. **INFORMS** the parties that there may be a short postponement in the commencement of the proceedings, depending upon the estimated length of the Prosecution case;
- III. **REMINDS** the Prosecution that all the witnesses' identifying information has to be disclosed to the Defence at the latest 30 days before the commencement of the case¹, but invites the Prosecution to do so as soon as possible;
- IV. **ORDERS** the Prosecution to make best efforts to obtain and to disclose to the Defence any outstanding Gacaca documents relating to the Prosecution witnesses who will testify during the above-mentioned court session;
- V. **ORDERS** the Prosecution to file a pre-Trial Brief, in accordance with Rule 73*bis* of the Rules of Procedure and Evidence, at the latest by 4 May 2009, addressing the factual and legal issues, including:
 - Admissions by the parties and a statement of other matters not in dispute;
 - A statement of contested matters of fact and law;
 - A list of witnesses that the Prosecutor intends to call with:
 - The name or pseudonym of each witness;
 - A summary of the facts about which each witness will testify;
 - The points in the indictment on which each witness will testify (proofing chart); and
 - The estimated length of time required for each witness;
 - A list of exhibits and submission about each exhibit concerning their relevancy to the proceedings;
- VI. **ORDERS** the Defence, within ten days of receipt of the Prosecution exhibits, to state whether or not it has any objections as to the authenticity of the exhibits the Prosecution intends to offer;
- VII. **ORDERS** the Prosecution to disclose to the Defence in a timely manner the order of appearance of the Prosecution witnesses;

¹ Decision on Prosecution Motion for Protective Measures (TC), 3 June 2005, p. 3.

- VIII. REMINDS** the Prosecution of its obligation to provide all necessary information to WVSS to enable that Section to make adequate arrangements to bring the witnesses to Arusha. In view of the commencement date of the next session, the information to WVSS should be provided immediately;
- IX. ORDERS** the Prosecution, in cooperation with WVSS, to always have a sufficient number of witnesses in Arusha, ready to testify, in order to avoid any interruptions in the presentation of the Prosecution case.

24 April 2009

For/ Seon Ki Park

Emile Francis Short

Presiding Judge

Seon Ki Park

Seon Ki Park

Judge

J. Masanche

Joseph Masanche

Judge



[Seal of the Tribunal]