



UNITED NATIONS
NATIONS UNIES

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

ICTR-00-55A-PT
8-05-2009
(748-746)

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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: 8 May 2009

THE PROSECUTOR

v.

Tharcisse MUVUNYI

Case No. ICTR-00-55A-PT

JUDICIAL RECORDS/ARCHIVE
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SCHEDULING ORDER

Rules 54, 73bis, 73 ter, 90bis, 92bis and 98bis of the Rules of Procedure and Evidence

Prosecution Counsel:
Mr. Charles Adeogun-Phillips
Mr. Ibukunolu Babajide

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

[Signature]

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1. On 29 April 2009, a status conference was held where the parties discussed and agreed upon deadlines for filing of motions as well as dates for the commencement of the retrial before this Chamber.
2. The Chamber recalls that during the status conference, the Chamber granted the Defence's request to file any motion pursuant to Rule 92*bis* of the Rules of Procedure and Evidence ("Rules") by 10 June 2009. However, noting that the Defence will file its Pre-Defence Brief, including its witness list, after the close of the Prosecution case, the Chamber considers that any motion in relation to the Defence Witness List should be filed contemporaneously to filings made in accordance with Rule 73*ter*.
3. The Prosecution filed an amended Pre-Trial Brief on 4 May 2009 and made further disclosure on 4 and 5 May 2009.
4. Having heard the parties, the Chamber hereby sets the following schedule for the retrial of Tharcisse Muvunyi.

THE CHAMBER

- I. **ORDERS** that the Prosecution case will begin on the afternoon of 17 June 2009 and finish on 19 June 2009 and that the Defence case will begin on 19 August 2009;
- II. **ORDERS** the Prosecution to:
 - i. comply with all previous disclosure requests by the Defence no later than 11 May 2009;
 - ii. file a list of exhibits it intends to use at trial no later than 11 May 2009 indicating the name of the author of the document, the date of issuance of the document and its origin as far as these elements can be provided. This list shall also indicate relevance and probative value of each exhibit, the paragraph(s) of the Indictment and the Pre-Trial Brief to which the exhibit relates, and the witness to whom it relates;
 - iii. serve a copy of each exhibit to the Defence with copy to the Chamber by 11 May 2009;

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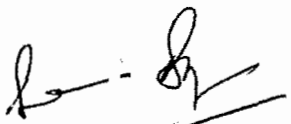
- iv. file any preliminary motions, such as those for video-link, protective measures for new witnesses, transfer of detained witnesses or for judicial notice, by 15 May 2009;
- v. communicate all necessary information to the Victims and Witnesses Support Section ("WVSS") no later than 15 May 2009 regarding the witnesses it is calling;

III. ORDERS the Defence to:

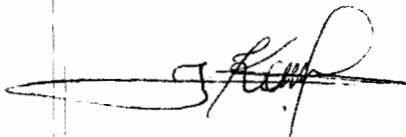
- i. respond to the Prosecution's Request to Admit Facts no later than 11 May 2009;
- ii. indicate any objections to the admission of documentary evidence disclosed by the Prosecution no later than 18 May 2009;
- iii. file its Pre-Defence Brief pursuant to Rule 73*ter* including information in relation to the total length of the Defence case, a list of its witnesses, summaries of the anticipated testimony of witnesses and an estimate of the length of witness testimony in chief no later than 26 June 2009;
- iv. file any motion for admission of statements pursuant to Rule 92*bis*, and any preliminary motions such as for protective measures, transfer for detained witnesses or judicial notice, no later than 26 June 2009;
- v. communicate all necessary information to WVSS no later than 30 June 2009 regarding the witnesses it is calling; and,

IV. ORDERS the Defence, should it wish to make any submissions pursuant to Rule 9: *bis*, to make such submissions orally at the close of the Prosecution case and **ORDERS** the Prosecution to respond orally immediately thereafter.

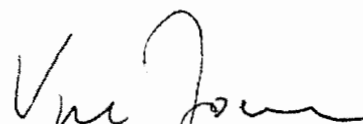
Arusha, 8 May 2009, done in English.



Denni C.M. Byron
Presiding Judge



Gberdao Gustave Kam
Judge



Vagn Joensen
Judge

