

ICTR-00-55B-T
14-07-2009
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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: Arlette Ramaroson, presiding
Taghrid Hikmet
Joseph Masanche

Registrar: Adama Dieng

Date: 14 July 2009

**THE PROSECUTOR
v.
ILDEPHONSE HATEGEKIMANA**

Case No. ICTR-00-55B-T

2009 JUL 14 P 4: 37
JUDICIAL DEPT. ARCHIVES
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SCHEDULING ORDER

Office of the Prosecutor:

William Egbe
Peter Tafah
Adama Niane
Guilain Disengi Mugeyo
Amina Ibrahim

Defence Counsel:

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

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INTRODUCTION

1. The trial in this case commenced on 16 March 2009. After calling twenty witnesses, the Prosecution closed its case on 04 May 2009. A status conference was held the same day in preparation for the Defence case.
2. On 05 May 2009, the Chamber issued a Scheduling Order instructing the Defence to disclose witness identifying information by 01 June 2009 and to begin its case on 22 June 2009.¹
3. A Pre-Defence Conference was held on 18 June 2009.² On 22 June 2009, the Defence began the presentation of its case-in-chief. After hearing twelve witnesses over twelve trial days, the Trial Chamber adjourned the proceedings on 13 July 2009 because of the unavailability of further defence witnesses. On the same day, the Chamber informed the Parties that the proceedings would resume on 23 September 2009 for the completion of the Defence case.
4. Having considered the oral submissions of the Parties, the Chamber hereby:
 - I. **ORDERS** the Defence to conclude its case during the session commencing on 23 September 2009, which will run no longer than three weeks;
 - II. **NOTES** that the commencement date for the upcoming session is tentative and may be revised to accommodate the Eid al-Fitr holiday;
 - III. **ORDERS** the Defence to disclose to the Prosecution, the Witness and Victims Section (WVSS) the following witness identifying information, including will-say statements, no later than 15 August 2009:
 - a. The full names(including the family name, first name, nicknames (where applicable) and the assigned pseudonym);
 - b. The date and place of birth, including cellule, secteur, commune and prefecture;
 - c. Full names of both parents;
 - d. Residence, including cellule, secteur, commune and prefecture, and occupation in 1994;
 - e. Current city and country of residence;
 - f. Religion;
 - g. Current occupation;

¹ *Prosecutor v. Ildephonse Hategekimana*, Case No. ICTR-00-55B-T, Scheduling Order (TC), 05 May 2009.

² *See Prosecutor v. Ildephonse Hategekimana*, Case No. ICTR-00-55B-T, Order for a Pre-Defence Conference (TC), 15 June 2009.

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- IV. **INSTRUCTS** the Defence to notify the Prosecution as soon as possible of its intent to enter a defence of alibi and to provide the Prosecution with the names and addresses of any remaining alibi witnesses and the places, at which the Accused claims to have been present in accordance with Rule 67(A)(ii)(a) of the Rules of Procedure and Evidence;
- V. **ORDERS** the Defence to make best efforts to obtain and to disclose to the Prosecution any Gacaca documents, if necessary, relating to the Defence Witnesses who will testify during the above-mentioned court session;
- VI. **ORDERS** the Defence to disclose to the Prosecution by 15 September 2009 the order of appearance of the remaining Defence witnesses;
- VII. **REMINDS** the Defence of its obligation to provide all necessary information to the WVSS to enable that section to make adequate and timely arrangements to bring the witnesses to Arusha for the upcoming trial session. In view of the commencement date of the next session, this information should be provided to WVSS as soon as possible and no later than 15 August 2009;
- VIII. **ORDERS** the Defence, in cooperation with the WVSS, to ensure, as of the commencement of the session on 23 September 2009, that a sufficient number of witnesses are always in Arusha and ready to testify, in order to avoid any interruptions during the remaining presentation of the Defence case.

Arusha, 14 July 2009

Arlette Ramarason
Presiding Judge

Taghrid Hikmet

Judge

Joseph Masanche

Judge

