



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

ICTR-05-86-PT
17-07-2009
(2330-2329)

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R

OR: ENG

TRIAL CHAMBER III

Before Judges: Khalida Rachid Khan, Presiding
sitting pursuant to Rule 54 of the Rules of Procedure and Evidence

Registrar: Adama Dieng

Date: 17 July 2009

THE PROSECUTOR

v.

MICHEL BAGARAGAZA

Case No. ICTR-2005-86-PT

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SCHEDULING ORDER

Rule 54 of the Rules of Procedure and Evidence

Office of the Prosecutor:

Mr. Wallace Kapaya
Mr. Patrick Gabaake
Mr. Brian Wallace
Mr. Iskandar Ismail

For the Accused:

Mr. Gert-Jan Alexander Knoops
Mr. Wayne Jordash
Ms. Ann-Marie Verwief

2329

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (“Tribunal”),

SITTING as Trial Chamber III, composed of Judge Khalida Rachid Khan (“Chamber”), pursuant to Rule 54 of the Rules of Procedure and Evidence (“Rules”);

RECALLING the Status Conferences held for this case on 16 December 2008 and 9 March 2009;

NOTING the orders made at the Status Conference of 16 December 2008 concerning the filing of submissions by the Prosecution,¹ along with the order of 26 February 2009 for unredacted disclosure,² and the Prosecution’s filings made in compliance with those orders;³

CONSIDERING the submissions of the Parties during the Status Conferences of 16 December 2008 and 9 March 2009 in relation to availability for the commencement of trial;⁴

RECALLING Articles 19 and 20 of the Tribunal’s Statute, and the Pre-Trial Chamber’s obligation to ensure a fair and expeditious trial that is undertaken without undue delay;

HEREBY SETS the date for the commencement of the trial in this case as Monday, 31 August 2009.

Arusha, 17 July 2009.



Khalida Rachid Khan
Presiding Judge

[Seal of the Tribunal]



¹ See T. 16 December 2008, p. 3, wherein Judge Muthoga ordered the Prosecution to file its pre-trial brief and all Rule 73 *bis* documents by 30 January 2009 at the latest.

² *Prosecutor v. Bagaragaza*, ICTR-0-86-PT, Order for Unredacted Disclosure, 26 February 2009.

³ *Bagaragaza*, “Prosecutor’s Pre-Trial Brief,” filed 30 January 2009; *Bagaragaza*, “Redacted Witness Statements for Pre-Trial Brief,” filed 2 February 2009; see also “Disclosure of Unredacted Witness Statements to the Defence – Rule 66 (A) (ii) of the Rules of Procedure and Evidence”, filed 26 February 2009.

⁴ See T. 16 December 2008, p. 2, where the Prosecution indicated it would be able to start presenting its case on 18 May 2009, and the Defence agreed that this was a reasonable start date as long as the Prosecution speedily complied with its disclosure obligations; T. 9 March 2009, pp. 1 and 14, where the Prosecution indicated it would be able to start trial on 6 April 2009, and the Defence indicated that the earliest it could start trial would be May and only if it was provided with additional resources.