



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: 16 March 2010

THE PROSECUTOR
v.
ILDEPHONSE HATEGEKIMANA

Case No. ICTR-00-55B-T

ORDER RESCHEDULING CLOSING ARGUMENTS

Office of the Prosecutor:
William Egbe
Peter Tafah
Adama Niane
Guilaine Disengi Mugeyo

Defence Counsel:
A.R. Dovi
Ata-Quam-Dovi-Avouyi

INTRODUCTION

1. The trial in this case commenced on 16 March 2009. After calling 20 witnesses over 22 trial days, the Prosecution closed its case on 4 May 2009. The Defence case began on 22 June 2009 and closed on 7 October 2009. The Defence called 20 witnesses over a total of 22 trial days.
2. On 19 October 2009, the Chamber issued a Scheduling Order instructing the Parties to file their closing briefs by 15 January 2010 and to present their closing arguments on 25 February 2010.¹
3. On 7 January 2010, the Defence filed a motion requesting that the Chamber postpone the filing date for the closing briefs until 31 January 2010.²
4. On 11 January 2010, the Prosecution filed a response to the Defence motion, requesting that all measures granted to the Defence be likewise accorded to the Prosecution.³
5. On 12 January 2010, the Chamber held a meeting with the Parties to discuss the possibility of an extension. During this meeting, the Defence requested that the closing arguments also be postponed in order to allow sufficient time for the closing briefs to be translated before the oral arguments.
6. On 13 January 2010, the Chamber granted the Defence request for an extension of time to file the closing briefs and for closing arguments.⁴ The Chamber ordered the Parties to file their closing briefs no later than 1 February 2010.⁵ The Chamber also postponed the closing arguments until 8 April 2010.⁶
7. The Prosecution and the Defence filed their closing briefs on 1 February 2010.⁷

DELIBERATIONS

8. It has come to the Chamber's attention that the translation of the Parties' closing briefs has been significantly delayed. The Chamber finds that the Parties should be

¹ Scheduling Order With Regard to Closing Briefs and Closing Arguments (TC), 19 October 2009.

² *Requete en Extreme Urgence D'Ildephonse Hategekimana en Vue de Report de la Date de Depot du Memoire Final au 31 Janvier 2010 et d'un Ajout de 25 Pages Supplementaires sur le Contenu du dit Memoire Final*, filed on 7 January 2010.

³ Prosecutor's Response to Defence Extremely Urgent Motion for Postponement of Date for Filing of Closing Briefs and for the Enlargement of the Page Limit of the Parties' Briefs to Include Twenty-Five Additional Pages, filed on 11 January 2010.

⁴ Decision Regarding Motions for Extension of Time to File Closing Briefs and to Present Closing Arguments (TC), 13 January 2010.

⁵ Decision Regarding Motions for Extension of Time to File Closing Briefs and to Present Closing Arguments (TC), 13 January 2010, *Order I*.

⁶ Decision Regarding Motions for Extension of Time to File Closing Briefs and to Present Closing Arguments (TC), 13 January 2010, *Order II*.

⁷ Prosecutor's Closing Brief, filed on 1 February 2010; *Memoire Final de la Defense D'Ildephonse Hategekimana*, filed on 1 February 2010.

afforded sufficient time to analyze and respond to the arguments made in the closing briefs prior to presenting their closing arguments. Thus, in the interests of justice, the Chamber hereby:

- I. **ORDERS** the Parties to present their closing arguments on Monday, 26 April 2010, beginning at 9.00 a.m.;
- II. **GRANTS**, subject to adjustments as appropriate,
 - i. Two hours for the presentation of each Party's closing arguments (the Prosecutor, followed by the Defence);
 - ii. One hour for the Prosecution rebuttal; and
 - iii. One hour for the Defence rejoinder.

Arusha, 16 March 2010

[read and approved by]

Arlette Ramaroson

Taghrid Hikmet

Joseph Masanche

Presiding Judge

Judge
[absent at the time of
signature]

Judge

[Seal of the Tribunal]