



UNITED NATIONS
NATIONS UNIES

ICTR-00-55C-T
10-02-2011
(5345-5343)
International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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OR: ENG

TRIAL CHAMBER III

Before Judges: Lee Gacuiga Muthoga, *Presiding*
Seon Ki Park
Robert Fremr

Registrar: Adama Dieng

Date: 10 February 2011

THE PROSECUTOR

v.

Ildephonse NIZEYIMANA

CASE NO. ICTR-00-55C-T

JUDICIAL RECORDS/ARCHIVES
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UNICTR
2011 FEB 10 P. U: 411

**SCHEDULING ORDER FOLLOWING STATUS CONFERENCE HELD DURING
PROSECUTION CASE ON 9 FEBRUARY 2011**

Rule 54 of the Rules of Procedure and Evidence

Office of the Prosecution:

Drew White
Kirsten Gray
Yasmine Chubin
Zahida Virani

Defence Counsel for Ildephonse Nizeyimana:

John Philpot
Cainnech Lussiaà-Berdou
Myriam Bouazdi

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INTRODUCTION

1. On 17 January 2011 the trial commenced in this case. As of 10 February 2011, the Chamber has heard twenty-three witnesses brought by the Office of the Prosecutor (“Prosecution”).
2. On 9 February 2011, the Chamber convened a Status Conference to discuss scheduling.¹ The Chamber noted the Prosecution motion entitled “Prosecutor’s Confidential Motion to Vary the Scheduling Order Due to Witness Unavailability”, filed on 2 February 2011 (“Motion”), which requests that the Chamber hear Prosecution evidence on 28 February 2011.² During the Status Conference, the Prosecution outlined its plan for examining witnesses up to 25 February 2011, and expressed its hope that very few witnesses will still need to be examined after that date.³ The Defence team of the Accused, Ildéphonse Nizeyimana (“Defence”) submitted that both Lead Counsel and Co-Counsel are not available during the week of 28 February 2011.⁴ The Defence noted that the week of 21 March 2011 could serve as a possible alternative to the week of 28 February 2011.⁵
3. During the Status Conference, the commencement date of the Defence case was also discussed. The Defence submitted that it is committed to finishing the Defence case before the “summer recess”.⁶ The Defence also indicated that they would be prepared to file the Pre-Defence Brief one week after the Prosecution finishes presenting its evidence.⁷ The Prosecution responded that it understood that the Pre-Defence Brief was going to be filed 60 days prior to the commencement of the Defence case, around 2 March 2011, and noted that the Defence was effectively proposing a one month delay in this filing.⁸
4. Having considered the submissions of the Parties, the Chamber hereby:

¹ T. 9 February 2011, p. 1 (draft).

² Motion, para. 15; T. 9 February 2011, p. 1 (draft). The Chamber also notes the “Response to Prosecutor’s Confidential Motion to Vary the Scheduling Order Due to Witness Unavailability”, filed on 4 February 2011, and the “Prosecutor’s Reply to the Defence Response to Prosecutor’s Confidential Motion to Vary the Scheduling Order Due to Witness Unavailability”, filed on 7 February 2011.

³ See T. 9 February 2011, pp. 1, 2 (draft).

⁴ See T. 9 February 2011, p. 2 (draft).

⁵ See T. 9 February 2011, p. 2 (draft).

⁶ T. 9 February 2011, p. 2 (draft).

⁷ See T. 9 February 2011, p. 2 (draft).

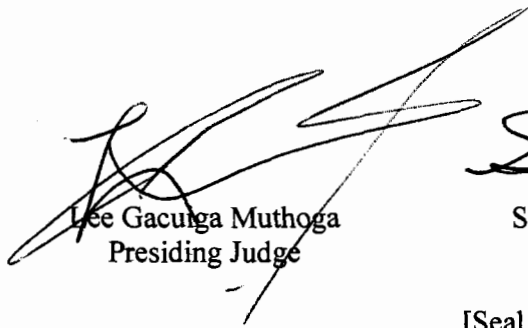
⁸ T. 9 February 2011, p. 3 (draft).



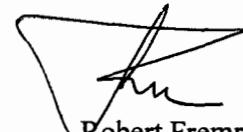
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- I. **ORDERS** that an additional trial session commence at 9.00 a.m. on Monday 21 March 2011, and end on Thursday, 24 March 2011, in Courtroom III, in order to hear remaining scheduled Prosecution witnesses;
- II. **ORDERS** that the Defence case be rescheduled to begin on Monday, 9 May 2011 at 9.00 a.m.;
- III. **ORDERS** the Defence to file its Pre-Defence Brief on Monday, 28 March 2011.

Arusha, 10 February 2011, done in English.


Lee Gacuga Muthoga
Presiding Judge


Seon Ki Park
Judge


Robert Fremr
Judge

[Seal of the Tribunal]

