

ICTR-98-44D-T  
15-9-2011  
(8621-2619)

8621



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

UNITED NATIONS  
NATIONS UNIES

OR: ENG

**TRIAL CHAMBER III**

**Before Judges:** Solomy Balungi Bossa, Presiding  
Bakhtiyar Tuzmukhamedov  
Mparany Rajohnson

**Registrar:** Adama Dieng

**Date:** 15 September 2011

**THE PROSECUTOR**

v.

**Callixte NZABONIMANA**  
*Case No. ICTR-98-44D-T*

JUDICIAL RECORDS/ARCHIVES  
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2011 SEP 15 P 2:45

**SCHEDULING ORDER FOR CLOSING ARGUMENTS**

*(Rule 54 of the Rules of Procedure and Evidence)*

**Office of the Prosecutor**  
Paul Ng'arua  
Memory Maposa  
Simba Mawere  
Mary Diana Karanja

**Defence Counsel**  
Vincent Courcelle-Labrousse  
Philippe Laroche

## INTRODUCTION

1. The Prosecution commenced its case on 9 November 2009 and closed on 13 April 2010 after calling a total of 19 witnesses, in a total of 25 Trial Days. The Trial Chamber allowed the Prosecution to call one rebuttal witness.<sup>1</sup>
2. The Defence case commenced on 15 April 2010 and closed on 5 May 2011 after calling a total of 40 witnesses, in a total of 61 Trial Days.
3. The parties filed their closing briefs on 5 July 2011. Following a directive from the Trial Chamber, the Defence filed an abridged brief on 13 July 2011.
4. The Trial Chamber recalls that on 10 May 2011, it issued a decision in which it declared that a site visit to Rwanda would be conducted in the instant case from 5 to 9 September 2011.<sup>2</sup> The site visit took place as scheduled.
5. Following the site visit, the Trial Chamber heard the cross-examination of Witness T2, pursuant to Rule Rule 92bis. The witness' testimony commenced and concluded on 12 September 2011.
6. On 28 August 2011, the Trial Chamber proposed 21 October 2011 as the hearing date for the closing arguments in the present case. The Chamber instructed the parties to file submission by 2 September 2011, on this proposed date for the closing arguments prior to making a final determination.<sup>3</sup>
7. On 2 September 2011, the Defence filed a correspondence stating that it did not object to the proposed date in principle. The Prosecution did not file a submission.
8. On 12 September 2011, the Parties expressed concerns that a half day session on Friday 21 October 2011 would not suffice for hearing of the closing arguments. The Trial Chamber finds merit in the Parties' concerns.

<sup>1</sup> Rebuttal witness testified on 5-6 May 2011.


<sup>2</sup> *Prosecutor v. Nzabonimana*, ICTR-98-44D-T, Decision on Site Visit, 10 May 2011.

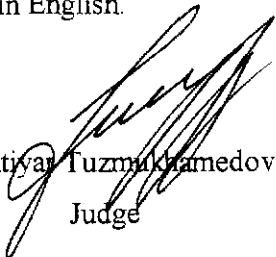
<sup>3</sup> Email sent out by Court Management Section on 28 September 2011.


**FOR THESE REASONS, THE TRIAL CHAMBER;**

- I. **ORDERS** that the closing arguments shall be heard continuously from 20 to 21 October 2011, commencing at 9am on those days;
- II. **GRANTS** each Party a maximum of 2 hours and 30 minutes to present their oral arguments, with an additional 30 minutes to the Prosecution to present its rebuttal and 30 minutes to the Defence to present its rejoinder.
- III. **REMINDS AND ORDERS** that each Party shall address matters of sentencing during closing arguments.
- IV. **REQUESTS** the Registry to make the necessary arrangements to facilitate the hearing of the closing arguments.

Arusha, 15 September 2011, done in English.

  
Solomy Balungi Bossa  
Presiding Judge

  
Bakhtiyar Tuzmukhamedov  
Judge

  
Mparany Rajohnson  
Judge

