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International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER II

Before: Judge William H. Sekule, Presiding
Judge Solomy Balungi Bossa
Judge Mparany Rajohnson

ICTR-99-54-T
29-03-2012
(109656-109654)

Registrar: Mr. Adama Dieng

Date: 29 March 2012

The PROSECUTOR

v.

Augustin NGIRABATWARE

Case No. ICTR-99-54-T

JUDICIAL RECORDS ARCHIVES
RECEIVED

2012 MAR 29 P 4: 53

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SCHEDULING ORDER FOR CLOSING BRIEFS AND ARGUMENTS

Office of the Prosecutor

Mr. Wallace Kapaya
Mr. Patrick Gabaake
Mr. Rashid Rashid
Mr. Iskandar Ismail
Ms. Faria Rekkas

Defence Counsel

Ms. Mylène Dimitri
Mr. Claver Sindayigaya
Mr. Deogratias Sebureze
Ms. Anne-Gaëlle Denier
Mr. Gregg Shankman

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

SITTING as Trial Chamber II composed of Judges William H. Sekule, Presiding, Solomy Balungi Bossa, and Mparany Rajohnson (the “Chamber”);

RECALLING that on 26 October 2011, the Chamber indicated to the Parties that the date for filing the Closing Briefs would tentatively be 5 April 2012, and that the date for Closing Arguments would tentatively be scheduled for 2 and 3 May 2012;¹

RECALLING that the Chamber reiterated last week that the Parties must now start in earnest to work on their Closing Briefs;²

TAKING INTO ACCOUNT the submissions of the Parties made in court on 27 March 2012;³

CONSIDERING that this Scheduling Order is without prejudice to any matter pending or otherwise in the case, including any site visit or any possible rejoinder evidence, most of which, if at all, are expected to address specific and limited issues;

CONSIDERING further that, if and where justified, the Chamber may allow additional submissions to supplement the Closing Briefs on specific matters, some of which could also be addressed in the Parties’ Closing Arguments; and

ACTING pursuant to Rules 54 and 86 of the Rules of Procedure and Evidence;

THE CHAMBER ORDERS the Parties to file their Closing Briefs simultaneously by 14 May 2012, as specified below;

DIRECTS that the Closing Briefs are not to exceed 30,000 words each, not including headings, footnotes and appendices, and that each Closing Brief shall contain a word count before the signature line;

DIRECTS that the Closing Briefs be submitted on A4 size paper with margins of 2.5 centimeters on all four sides, that the typeface of the main text be 12 point Times New Roman with 1.5 line spacing, and that the typeface of the footnotes shall be 10 point Times New Roman with single line spacing;⁴

DIRECTS that any appendices shall not contain factual or legal arguments, and shall be reasonable in length;

¹ T. 26 October 2011, p. 87.

² T. 23 March 2012, pp. 23-24.

³ T. 27 March 2012, pp. 5-7.

⁴ The Chamber anticipates that the Closing Briefs will thus be around 100 pages in length, excluding headings, footnotes and any appendices. See Practice Direction on Length and Timing of Closing Briefs and Closing Arguments, para. 1.1 (ii).



DIRECTS that the Parties are not to incorporate any previously made submissions by way of reference or any other means;

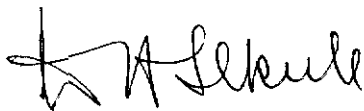
ORDERS the Parties to provide appropriate citations, including precise references to the trial record, to support the assertions and arguments made in their Closing Briefs;

RECALLS that “[a] violation of a court order *as such* constitutes an interference with the Tribunal’s administration of justice” which can fall within the ambit of Rule 77 (A);⁵

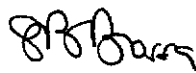
DIRECTS the Registry to circulate the Closing Briefs only after both Parties have filed their Briefs; and

ORDERS that Closing Arguments take place on 18 and 19 June 2012.

Arusha, 29 March 2012



William H. Sekule
Presiding Judge



Solomy Balungi Bossa
Judge



Mparany Rajohnson
Judge

[Seal of the Tribunal]



⁵ *In the Case Against Vojislav Šešelj*, Case No. IT-03-67-R77.2-A, Judgement (AC), 19 May 2010, para. 20. See also Decision on the Defence Motion for Reconsideration or Certification to Appeal the Oral Decision of 13 July 2011, and on the Reduction of the Defence Witness List (TC), 26 August 2011, para. 54.