



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

110009  
du

OR: ENG

**TRIAL CHAMBER II**

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

Registrar: Mr. Adama Dieng

Date: 23 April 2012

ICTR-99-54-T  
23rd April 2012  
(110009 - 110008)

**The PROSECUTOR**

v.

**Augustin NGIRABATWARE**

Case No. ICTR-99-54-T

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**ADDENDUM TO THE 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

**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** the “Scheduling Order for Closing Briefs and Arguments”, issued on 29 March 2012;<sup>1</sup>

**RECALLING** further the Decision on Defence Motion for Variations to Scheduling Order for Closing Briefs and Arguments, rendered on 20 April 2012;<sup>2</sup>

**CONSIDERING** that Rule 86 states in part that “[t]he parties shall also address matters of sentencing in closing arguments”,<sup>3</sup> and that this Rule pertains to both Closing Briefs and oral Closing Arguments;

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

**THE CHAMBER ORDERS** that the Parties shall address matters of sentencing in their Closing Briefs and/or oral Closing Arguments.

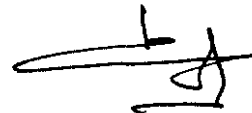
Arusha, 23 April 2012



William H. Sekule  
Presiding Judge



Solomy Balungi Bossa  
Judge



Mparany Rajohnson  
Judge

[Seal of the Tribunal]



<sup>1</sup> Scheduling Order for Closing Briefs and Arguments (TC), 29 March 2012.

<sup>2</sup> Decision on Defence Motion for Variations to Scheduling Order for Closing Briefs and Arguments (TC), 20 April 2012.

<sup>3</sup> See also *Théoneste Bagosora & Anatole Nsengiyumva v. The Prosecutor*, Case No. ICTR-98-41-A, Judgement (AC), 14 December 2011, fn. 984 (“... Rule 86(C) of the Rules clearly indicates that sentencing submissions shall be addressed during closing arguments.”); *Emmanuel Rukundo v. The Prosecutor*, Case No. ICTR-2001-70-A, Judgement (AC), 20 October 2010, para. 255 (“Rule 86(C) of the Rules clearly indicates that sentencing submissions should be addressed during closing arguments ... .”); *Simon Bikindi v. The Prosecutor*, Case No. ICTR-01-72-A, Judgement (AC), 18 March 2010, para. 165 (stating that when a Party fails to refer specifically, in the Closing Brief or Closing Arguments, to a sentencing submission, “[t]he Trial Chamber [is] not under an obligation to seek out information that Counsel did not put before it at the appropriate time”); *Mikaeli Muhimana v. The Prosecutor*, Case No. ICTR-95-1B-A, Judgement (AC), 21 May 2007, para. 231 (“Rule 86(C) of the Rules clearly indicates that sentencing submissions shall be addressed during closing arguments, and it was therefore the [Parties’] prerogative to identify any [] circumstances instead of directing the Trial Chamber’s attention to the record in general.”).