

ICTR-98-42-T  
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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 Arlette Ramaroso  
Judge Solomy Balungi Bossa

Registrar: Mr. Adama Dieng

Date: 26 September 2008

JUDICIAL RECORDS SECTION  
RECEIVED  
2008 SEP 26 1 A 10: 56  
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**The PROSECUTOR v. Pauline NYIRAMASUHUKO & Arsène Shalom NTAHOBALI**  
Case No. ICTR-97-21-T

**The PROSECUTOR v. Sylvain NSABIMANA & Alphonse NTEZIRYAYO**  
Case No. ICTR-97-29A&B-T

**The PROSECUTOR v. Joseph KANYABASHI**  
Case No. ICTR-96-15-T

**The PROSECUTOR v. Élie NDAYAMBAJE**  
Case No. ICTR-96-8-T

*Joint Case No. ICTR-98-42-T*

**SCHEDULING ORDER**

*Rule 54 of the Rules of Procedure and Evidence*

**Office of the Prosecutor**

Ms. Holo Makwaia  
Ms. Adelaide Whest  
Ms. Madeleine Schwarz  
Ms. Althea Alexis Windsor  
Mr. Fergal Gaynor  
Mr. Tidiane Mara  
Ms. Astou Mbow, Case Manager  
Mr. Lansana Dumbuya, Case Manager

**Counsel for Kanyabashi**

Mr. Michel Marchand  
Ms. Alexandra Marcil  
**Counsel for Ndayambaje**

Mr. Pierre Boulé  
Mr. Claver Sindayigaya  
**Counsel for Nyiramasuhuko**

Ms. Nicole Bergevin  
Mr. Guy Poupart

**Counsel for Ntahobali**

Mr. Normand Marquis  
Mr. Bernard St. Arnaud

**Counsel for Nsabimana**

Ms. Josette Kadji  
Mr. Pierre Tientcheu Weladji

**Counsel for Nteziryayo**

Mr. Titinga Frédéric Paccr  
Mr. Ob'wanwa Otachi

**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA** (the "Tribunal"),

**SITTING** as Trial Chamber II composed of Judges William H. Sekule, Presiding, Arlette Ramarosan and Solomy Balungi Bossa (the "Chamber");

**CONSIDERING** the Statute of the Tribunal (the "Statute") and the Rules of Procedure and Evidence (the "Rules");

**CONSIDERING** the "Prosecutor's Motion for Site Visits in the Republic of Rwanda under Rules 4 and 73 of the Rules of Procedure and Evidence," filed on 26 June 2008 (the "Prosecution's Motion");

**CONSIDERING** the

- (i) "*Réponse de Arsène Shalom Ntahobali à la Requête du Procureur intitulée 'the Prosecutor's Motion for Site Visits in the Republic of Rwanda under Rules 4 and 73 of the Rules of Procedure and Evidence'*", filed on 30 June 2008 ("Ntahobali's Response")
- (ii) "*Réponse d'Élie Ndayambaje à 'Prosecutor's Motion for Site Visits in the Republic of Rwanda under Rules 4 and 73 of the Rules of Procedure and Evidence'*", filed on 30 June 2008 ("Ndayambaje's Response").
- (iii) "*Réponse de Sylvain Nsabimana à la Requête du Procureur intitulée 'the Prosecutor's Motion for Site Visits in the Republic of Rwanda under Rules 4 and 73 of the Rules of Procedure and Evidence'*", filed on 1 July 2008 ("Nsabimana's Response");
- (iv) "*Réponse de Alphonse Nteziryayo à la 'Prosecutor's Motion for Site Visits in the Republic of Rwanda under Rules 4 and 73 of the Rules of Procedure and Evidence'*", filed on 1 July 2008 ("Nteziryayo's Response").
- (v) "*Réponse de Joseph Kanyabashi à la Requête du Procureur afin de visiter les lieux au Rwanda en vertu des articles 4 et 73 du Règlement*", filed on 1 July 2008 ("Kanyabashi's Response");
- (vi) "*Réponse de l'accusée Pauline Nyiramasuhuko à la 'Prosecution Motion for site visit in the Republic of Rwanda under rules 4 and 73 of the Rules of Procedure and Evidence' et Requête de Pauline Nyiramasuhuko pour ajouter des sites à ceux proposés par le Procureur*" filed on 1 July 2008 ("Nyiramasuhuko's Response");

**NOTING** that the Chamber will decide the Prosecution Motion only on the basis of written briefs of the Parties pursuant to Rule 73 of the Rules;

**NOTING THAT** in response to the Prosecution Motion, some of the Defence teams in particular the Defence for Ndayambaje, Kanyabashi and Nsabimana appear not to have completed their submissions, for example they did not file conclusive lists of sites to be visited.

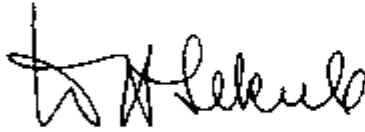
**NOTING THAT** such lists will assist the Chamber in determining the Motion expeditiously and conclusively, but that the Parties should not use this as an opportunity to reopen their submissions;



**THE CHAMBER HEREBY**

**ORDERS** the concerned Defence to complete their pleadings with regard to the locations of the sites they may wish to be visited within five days of this Order.

Arusha, 26 September 2008



William H. Sekule  
Presiding Judge



Arlette Ramarason  
Judge



Solomy Balungi Bossa  
Judge

[Seal of the Tribunal]

