

10/26/22 - Gabriel P.
Gaby:

Here are my notes on our conversation which I have attempted to convert into something that looks like an agenda. I could not email or fax them earlier as my phone was not working.

THURSDAY, OCTOBER 26

I. IOC Introduction to history, goals and status of the process : Indai. (15 min)

II. Prosecutor's Introduction: Country and chief (30 min)

A. What they seek from the Process and the Judgement.

B. Basics of organization of the trial (eg criml and state respons; role of chief and country prosecutors; schedule of trial)—what is needed by the newer judges.

III. Review Charter (2 hours 30 minutes)

C. Process of adoption – country prosecutor (10 min)

D. Outstanding questions. (2 hours 20 minutes)

Standard of proof (15 minutes)

Should Judges make rules; if so, process. (20 minutes)

COFFEE BREAK

Invitation to Japan: when; what; by whom; for what. (25 min)

Role of symbolic counsel. (15 min)

Standards of Responsibility : Is conspiracy needed? (1 hour)

Other?

LUNCH BREAK

IV. The Criminal Part (1 hour 50 minutes)

E. Who are the accused: scope and implications of naming for the Judgement (30 minutes)

F. Review and modify outline of issues. (1 hour)

G. Should the Judgement address penalty (20 minutes)

D. Identify drafters and responsibilities.

COFFEE BREAK

IV. The State Responsibility Part. (1 hour 40 min)

A. Review and modify outline of issues. (1 hour)

B. Responsibilities of countries other than Japan (20 minutes)

C. Clarify remedies sought. (20 minutes)

D. Identify drafters and responsibilities.

IV. Status Report from Prosecutors re material being provided (1 hour)

A. Before Tokyo

B. Before trial at Tokyo

C. During the Trial

DINNER

FRIDAY: OCTOBER 26

IV. Review Order & Details of Proceedings. (30 min)

V. Finalize approach to and responsibilities for the Judgement (1 hour)

Style of Judgement

What should be produced for Tokyo; when; vetting?

What should be produced at Tokyo: scope; executive summary

Is revision following the Tribunal necessary or desirable?

Coordination process.

Discussion of uses of the Judgement.

COFFEE BREAK

VI. Logistics in Tokyo (1 hour 20 minutes)

- A. Arrival & lodging, transportation details.*
- B. Scheduling pre-trial conferences; judges meetings*
- C. Facilities and equipment necessary*
- D. Other*

IV. Media (30 minutes)

- A. Before Tokyo*
- B. After Tokyo.*

LUNCH

XI. Simultaneous meetings of judges and prosecutors.

X. Final Session: Remaining Issues (1hour).