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UNITED NATIONS  
NATIONS UNIES

**International Criminal Tribunal for Rwanda  
Tribunal Pénal International pour le Rwanda**

Arusha International Conference Centre  
P.O.Box 6016, Arusha, Tanzania - B.P. 6016, Arusha, Tanzanie  
Tel: 255 27 2504207-11 2504367-72 or 1 212 963 2850 Fax: 1 212 963 2848/49

*Office of the President  
Bureau du Président*

Before: Judge Navanethem Pillay, President

Original: English

Registrar: Adama Dieng

Order of: 4 June 2001

**THE PROSECUTOR**

**Versus**

**PAULINE NYIRAMASUHUKO**

**And**

**ARSENE SHALOM NTAHOBALI**

**ICTR-97-21-T**

JUDICIAL RECORDS ARCHIVES  
RECEIVED  
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2001 JUN -6 A 11: 32  
J.P.

**THE PRESIDENT'S DECISION ON REVIEW, IN ACCORDANCE WITH ARTICLE  
19 (E) OF THE DIRECTIVE ON ASSIGNMENT OF DEFENCE COUNSEL**

I, Judge Navanethem Pillay, President of the International Criminal Tribunal for Rwanda (the "Tribunal");

**HAVING RECEIVED** a request from Arsene Shalom Ntahobali (the "Accused"), for a review of the Registrar's decision of 2 April 2001, which denied the request for the withdrawal of the Accused's Lead Counsel, Mr. René Saint Leger;

**HAVING CONSIDERED** the Accused's written submissions of 6, 24, 28 April, and 17 May 2001;

**HAVING CONSIDERED** that, in his written submission of 24 April 2001, the Accused also requested the removal of the assigned Co-Counsel;

**HAVING CONSIDERED** Article 19 (E) of the Tribunal's Directive on the Assignment of Defence Counsel (the "Directive"), which states that:

*"Where a request for withdrawal, made pursuant to paragraph (A), has been denied, the person making the request may seek the President's review of the decision of the Registrar."*

**HAVING CONSIDERED** that, pursuant to Article 19 (A) of the Directive, the Registrar may withdraw assigned Counsel at the request of the Accused, provided "exceptional circumstances" exist that warrant such withdrawal;

**FINDS** that:

- (i) I am unable to make a factual determination of the allegations made by the Accused in respect of the motions filed by his Counsel and heard by Trial Chamber II. This is a matter best left for consideration by the Trial Chamber rather than the review process;
- (ii) The six accused in the joint "Butare" trial have waited a long time for the commencement of their trial, which is scheduled for 11 June 2001. I am concerned that a change in Counsel at this late stage will delay the trial. The Accused argues that the removal of his assigned Counsel will not delay the trial, as he is willing to defend himself until the assignment of another Counsel. This proposal should be raised before the Trial Chamber;
- (iii) In light of the above, the Registrar's decision of 2 April 2001 is confirmed.

Arusha, 4 June 2001,

  
Navanethem Pillay  
President

(Seal of the Tribunal)

**TRANSMISSION SHEET FOR OFFICIAL FILING OF DOCUMENTS WITH CMS**  
 (Art. 27 of the Directive for the Registry, Court Management Section, International Criminal Tribunal for Rwanda)

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<b>From</b>	<input type="checkbox"/> Chamber _____ (name)		<input type="checkbox"/> Defence _____ (name)		<input type="checkbox"/> Office of the Prosecutor _____ (name)
<b>Case Name</b>	The Prosecutor vs. _____			<b>Case Number</b> ICTR- _____	
<b>Date</b>	Transmitted: _____		Document's date: _____		No. of Pages: _____
<b>Original / Transl.</b>	This Document is a(n): <input type="checkbox"/> ORIGINAL: <b>Fill sections below</b> <input type="checkbox"/> TRANSLATION into <input type="checkbox"/> Eng <input type="checkbox"/> Fr <input type="checkbox"/> Kinyar. (original was filed on _____)				
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Case no. : ICTR-97-21-T



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19 (E) OF THE DIRECTIVE ON ASSIGNMENT OF DEFENCE COUNSEL**

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Case no. : ICTR-97-21-T



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[ 60]\*72\*1998# 91 514 2854474

ICTR KIGALI  
PROSECUTOR  
BERGEVIN N  
MARCHAND M  
PACERE F  
KADJI J  
BOYER M  
BOULE P

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Case no. : ICTR-97-21-T



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Case no. : ICTR-97-21-T



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**PROOF OF SERVICE – ARUSHA**  
**PREUVE DE NOTIFICATION AUX CHAMBRES DE PREMIERE INSTANCE - ARUSHA**

<b>Date:</b> 6/6/2001	<b>Case Name / affaire:</b> THE PROSECUTOR V. PAULINE NYIRAMASUHUKO AND ARSENE SHALOM NTAHOBALI
	<b>Case No / no. de l'affaire:</b> ICTR-97-21-T
<b>To:</b>	<p><b>TC1</b> received by / reçu par: <b>ALO</b> received by / reçu par:</p> <p><input type="checkbox"/> Judge N. Pillay, President _____ <input type="checkbox"/> _____</p> <p><input type="checkbox"/> Judge Mose, Vice President _____ <input type="checkbox"/> _____</p> <p><input type="checkbox"/> Judge A. Gunawardana _____ <input type="checkbox"/> _____</p> <p><input type="checkbox"/> E. Nahomya, Co-ordinator _____ <input type="checkbox"/> _____</p> <p><b>TC2</b></p> <p><input checked="" type="checkbox"/> Judge W. H. Sekule <u>Pamela-6/6/01</u> <input type="checkbox"/> <u>Pamela-6/6/01</u></p> <p><input type="checkbox"/> Judge M. Guney. <u>6.6.</u> <input type="checkbox"/> <u>6.6.</u></p> <p><input type="checkbox"/> Judge E. Mose <u>Arusha 6.6.01</u> <input type="checkbox"/> <u>NS 6/6/1</u></p> <p><input checked="" type="checkbox"/> C. Aptel, Co-ordinator <u>Arusha 6.6.01</u></p> <p><b>TC3</b></p> <p><input type="checkbox"/> Judge L.G. Williams _____ <input type="checkbox"/> _____</p> <p><input type="checkbox"/> Judge P. Dolenc _____ <input type="checkbox"/> _____</p> <p><input type="checkbox"/> Judge Y. Ostrovsky _____ <input type="checkbox"/> _____</p> <p><input type="checkbox"/> M. Niang, Co-ordinator _____ <input type="checkbox"/> _____</p> <p><b>OTP / BUREAU DU PROCUREUR</b></p> <p><input type="checkbox"/> Trial Attorney in charge of case <u>SILVANA ARBIA</u> received by <u>[Signature]</u> <u>6/6/01</u></p> <p><b>DEFENSE:</b></p> <p><input type="checkbox"/> Accused / Accusé <u>NDAYAMBAJE, KANYABASHI, NSABIMANA, NTEZIRYAYO, NYIRAMASUHUKO AND NTAHOBALI</u></p> <p>complete / remplir "CMS4 FORM" <input type="checkbox"/> Lead Counsel</p> <p><b>Conseil Principal</b> <u>MARCHAND, BOULE, KADJI, PACERE, BERGEM, SAINT LEGER</u> In Arusha / à Arusha</p> <p>(signature) <input type="checkbox"/> by fax complete / remplir "CMS3bis FORM"</p> <p><input type="checkbox"/> Co-Counsel / Conseil Adjoint: <u>BOYER, LAJOIE, TCHACOUNTE, PERRAS, POUPART, BAILEY</u></p> <p><input type="checkbox"/> In Arusha / à Arusha _____ (signature) <input type="checkbox"/> by fax complete / remplir "CMS3bis FORM"</p> <p>All Decisions: <input type="checkbox"/> Appeals Chamber Unit, The Hague <input type="checkbox"/> Suzanne Chenault, Jurist Linguist</p> <p>All Decisions &amp; Important Public Documents: <input type="checkbox"/> Press &amp; Public Affairs <input type="checkbox"/> Legal Library</p>
<b>From:</b>	<p><input type="checkbox"/> JP. Fomété <input type="checkbox"/> A. N'gum <input type="checkbox"/> F. Talon <input type="checkbox"/> <u>A. Minda</u> <input type="checkbox"/> K. Afande (TC3) <input type="checkbox"/> <u>Edonnell</u></p>
<b>De:</b>	<u>7/6/01</u>
<b>CC:</b>	<input type="checkbox"/> A. Dieng <input type="checkbox"/> A. Miller, OLA, NY <input type="checkbox"/> P. Nyambe <input type="checkbox"/> K. Moghalu <input type="checkbox"/> WVSS-P <input checked="" type="checkbox"/> WVSS-D <input checked="" type="checkbox"/> DFMS <input type="checkbox"/> GLSS
<b>Subject</b>	Kindly find attached the following documents / Veuillez trouver en annex les documents suivants:
<b>Objet:</b>	

Documents name / titre du document	Date Filed / Date enregistré	Pages
THE PRESIDENT'S DECISION ON REVIEW, IN ACCORDANCE WITH ARTICLE 19 (E) OF THE DIRECTIVE ON ASSIGNMENT OF DEFENCE COUNSEL	6/6/2001	2

*M. Minda for Michel Marchand*