



Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

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ICTR-98-44-AR15bis.2

29 July 2004

IN THE APPEALS CHAMBER (738/A-734/A)

**Before:** Judge Theodor Meron, Presiding Judge  
**Registrar:** Mr. Adama Dieng  
**Order of:** 29 July 2004

**Edouard KAREMERA  
Mathieu NGIRUMPATSE  
Joseph NZIRORERA  
André RWAMAKUBA**

v.

**THE PROSECUTOR**

2004 FEB 29 P 5:58  
*[Signature]*

*Case No ICTR-98-44-AR15bis.2*

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**ORDER OF THE PRESIDING JUDGE ASSIGNING JUDGES AND  
DESIGNATING THE PRE-APPEAL JUDGE**

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**Counsel for the Prosecution**

Mr. Hassan Bubacar Jallow  
Ms. Melanie Werrett  
Mr. James Stewart  
Mr. Don Webster  
Ms. Dior Fall  
Ms. Holo Makwaia  
Mr. Gregory Lombardi

**Counsel for the Defence**

Ms. Dior Diagne Mbaye  
Mr. Félix Sow  
Mr. Charles Roach  
Mr. Frédéric Weyl  
Mr. Peter Robinson  
Mr. David Hooper  
Mr. Andreas O'Shea

**I, THEODOR MERON**, Presiding Judge of the Appeals Chamber of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States Between 1 January and 31 December 1994 (“International Tribunal”),

**NOTING** the following documents filed in the Appeals Chamber (together, the “Appeals”):

- (1) “Notice of Appeal from Chamber III’s ‘décision relative à la continuation du procès’ of July 16, 2004,” filed by counsel for Mathieu Ngirumpatse on 22 July 2004;
- (2) “Appeal Brought under Rule 15(E) on Behalf of Dr André Rwamakuba Concerning the Continuation of the Trial,” filed by counsel for André Rwamakuba on 23 July 2004;
- (3) “Appeal from Second décision relative à la continuation du procès,” filed by counsel for Joseph Nzirorera on 23 July 2004; and
- (4) “Mémoire relatif à la continuation du procès,” filed by counsel for Edouard Karemera on 26 July 2004;

**RECALLING** the “Order of the Presiding Judge Assigning Judges” dated 23 July 2004, which ordered that the first three of the Appeals listed above be treated as a single case, *Mathieu Ngirumpatse et al. v. The Prosecutor*, Case No. ICTR-98-44-AR15bis.2;

**CONSIDERING** that all four Appeals arise from the “*Décision relative à la continuation du procès*” rendered by Trial Chamber III on 16 July 2004 and that judicial economy warrants that they be considered by the same Judges of the Appeals Chamber;

**CONSIDERING** the composition of the Appeals Chamber of the International Tribunal set out in Document IT/222 of the International Criminal Tribunal for the former Yugoslavia, dated 17 November 2003;

**NOTING** Articles 11(3) and 13(4) of the Statute of the International Tribunal and Rule 108bis of the Rules of Procedure and Evidence of the International Tribunal;

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**FOR THE FOREGOING REASONS,**

**ORDER** that the cases of *Mathieu Ngirumpatse et al. v. The Prosecutor* and *Edouard Karemera v. The Prosecutor* be treated as a single case, *Edouard Karemera et al. v. The Prosecutor*, Case No. ICTR-98-44-AR15bis.2;

**ORDER** that, in the case of *Edouard Karemera et al. v. The Prosecutor*, Case No. ICTR-98-44-AR15bis.2, the Appeals Chamber be composed as follows:

Judge Theodor Meron  
Judge Mohamed Shahabuddeen  
Judge Mehmet Güney  
Judge Wolfgang Schomburg  
Judge Inés Mónica Weinberg de Roca; and

**DESIGNATE** Judge Inés Mónica Weinberg de Roca to serve as Pre-Appeal Judge in the case of *Edouard Karemera et al. v. The Prosecutor*, Case No. ICTR-98-44-AR15bis.2.

Done in French and English, the English text being authoritative.



Theodor Meron

Presiding Judge of the Appeals Chamber

Done this 29<sup>th</sup> day of July 2004,  
At The Hague,  
The Netherlands.

