ICTR. 98-42. AR 75
1 SEPTEMBER 2004
(399/H - 397/H)

399/H

UNITED NATIONS
NATIONS UNIES

Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

IN THE APPEALS CHAMBER

Before: **Judge Theodor Meron, Presiding Judge**

Registrar: **Mr. Adama Dieng**

Order of: **1 September 2004**

ICTR Appeals Chamber
Date: 01 September 04
Action: PG
Copied To: Concerned Judges, Parties, Judicial Archives LOs, LSS

THE PROSECUTOR

v.

Pauline NYIRAMASUHUKO *et al.*

Case No. ICTR-98-42-AR75

ORDER OF THE PRESIDING JUDGE ASSIGNING JUDGES

Counsel for the Prosecution

Silvana Arbia
Jonathan Moses
Adelaide Whest
Adesola Adeboyejo
Althea Alexis
Michael Adenuga
Manuel Bouwknecht
Astow Mbow

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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 "Extremely Urgent Ex Parte Motion for Leave to Disclose the Sealed Transcripts of 28 February 2003 to the Defence in Case No. ICTR-98-42-T (Butare Trial)," filed on 26 August 2004 by the Prosecution in the case of *The Prosecutor v. Georges Anderson Nderubumwe Rutaganda*, No. ICTR-96-3-A ("Motion"), in which the Prosecution seeks leave to disclose a closed session transcript of that case in furtherance of its disclosure obligations in the case of *The Prosecutor v. Pauline Nyiramasuhuko et al.*, No. ICTR-98-42-T;

CONSIDERING that the Appeals Chamber is no longer seised of the case of *The Prosecutor v. Georges Anderson Nderubumwe Rutaganda*, No. ICTR-96-3-A, having rendered its judgement in that case on 26 May 2003;

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 ("Composition of the Appeals Chamber Following Election of New President"), dated 17 November 2003;

NOTING Articles 11(3) and 13(4) of the Statute of the International Tribunal;

FOR THE FOREGOING REASONS,

HEREBY DECIDE to assign a bench of five Judges of the Appeals Chamber to consider and dispose of the Motion;

ORDER that the Motion be considered in the case of *The Prosecutor v. Pauline Nyiramasuhuko*, No. ICTR-98-42-AR75;

AND DETERMINE that the Appeals Chamber, for the purpose of considering and deciding this Motion, shall be composed as follows:

Judge Theodor Meron
Judge Mohamed Shahabuddeen
Judge Fausto Pocar
Judge Wolfgang Schomburg
Judge Inés Mónica Weinberg de Roca.

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

Theodor Meron

Presiding Judge of the Appeals Chamber

Done this 1st day of September 2004,
At The Hague,
The Netherlands.

[Seal of the International Tribunal]