



UNITED NATIONS
NATIONS UNIES



ICTR REGISTRY
12/K-99-52-A
29 November 04
(1714/H - 1713/H)
Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

1714/H
RMM

BEFORE THE PRE-APPEAL JUDGE

Before: Judge Inés Weinberg de Roca, Pre-Appeal Judge
Registrar: Mr. Adama Dieng
Order of: 29 November 2004

Ferdinand NAHIMANA
Jean-Bosco BARAYAGWIZA
Hassan NGEZE
(Appellants)

V.

THE PROSECUTOR
(Respondent)

Case No. ICTR-99-52-A

ORDER TO REGISTRAR

ICTR Appeals Chamber

Date: 29/11/04
Action:
Copied To: Concerned Judges

Parties, Judicial Archives,
LOs, LSS
R. [Signature]

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2004 NOV 30 A 10:07
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Counsel for the Appellants

Mr. Jean-Marie Biju-Duval
Mr. Bharat B. Chadha

Counsel for the Prosecutor

Mr. James Stewart
Ms. Melanie Werrett

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME
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NAME / NOM: ROSETTE MUZIGU-MORRISON
SIGNATURE: [Signature] DATE: 29/11/04

1713/H

I, Inés Mónica Weinberg de Roca, Pre-Appeal Judge in this case,¹

NOTING that the appeal proceedings in this case have been stayed since 19 May 2004, pending the withdrawal of Mr. Barletta Caldarera's assignment as lead counsel to Appellant Jean Bosco Barayagwiza ("Appellant Barayagwiza") and pending the appointment of new lead counsel;²

NOTING that the Registrar withdrew Mr. Barletta Caldarera's assignment as lead counsel for the Appellant Barayagwiza on 29 June 2004;³

NOTING the "Decision on Jean Bosco Baryagwiza's Motion for Appointment of Counsel or a Stay of Proceedings" of 22 October 2004, in which the Appeals Chamber ordered the Registrar, in the interests of justice, to assign counsel to Appellant Barayagwiza by 29 October 2004;


NOTING the "Order to Appoint Counsel to Jean Bosco Barayagwiza" of 3 November 2004, in which the Appeals Chamber ordered the Registrar to ensure that Appellant Barayagwiza is represented by lead counsel no later than 8 November 2004;

CONSIDERING that the appeals proceedings in this case have been delayed by the fact that Appellant Barayagwiza still does not have a lead counsel;

HEREBY ORDER the Registrar to file a report to the Pre-Appeal Judge, no later than 2 December 2004, indicating the reasons for the delay in appointing Lead Counsel for Appellant Barayagwiza and setting out the steps taken to ensure that Appellant Barayagwiza's lead counsel is appointed promptly.

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

Dated this 29 November 2004,
At The Hague, The Netherlands.


Judge Inés Mónica Weinberg de Roca
Pre-Appeal Judge

[Seal of the International Tribunal]



¹ Order of the Presiding Judge Assigning Judges and Designating the Pre-Appeal Judge, 19 December 2003.

² Decision on Jean-Bosco Barayagwiza's Motion Appealing Refusal of Request for Legal Assistance, 19 May 2004.

³ *Décision de Retrait de la Commission d'office de Me. Giacomo Caldarera Conseil Principal de l'accusé Jean Bosco Barayagwiza*, 29 June 2004.