

ICTR-2001-66-T
28-7-2005
(3833-3831)

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UNITED NATIONS
NATIONS UNIES

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

TRIAL CHAMBER III

ENGLISH
Original: FENCH

Before: Judge Andréia Vaz, presiding
Judge Karin Hökberg
Judge Gberdao Gustave Kam

Registrar: Adama Dieng

Date filed: 19 May 2005

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ICTR 28/02/05
JUDICIAL RECORDS/ARCHIVE

THE PROSECUTOR

v.

Athanase SEROMBA

Case No. ICTR-2001-66-T

ORDER

Rule 45 of the Rules of Procedure and Evidence

Office of the Prosecutor:

Silvana Arbia
Jonathan Moses
Gregory Townsend
Althea Alexis
Cheikh T. Mara
Tolulope Olowoye

Counsel for the Defence:

Alfred Pognon
Patrice Monthe
Sylviane Glodjinon

CIII05-0047 (E)

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DRAFT

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA ("the Tribunal"),

SITTING AS Trial Chamber III («the Chamber»), composed of Judge Andréia Vaz, presiding, Judge Karin Hökberg and Judge Gberdao Gustave Kam;

CONSIDERING, on the one hand, the letter of the Accused, Athanase Seromba, filed on 11 April 2005, requesting his Lead Counsel, Mr. Alfred Pognon, not to defend any longer his interests following differences over organization and conduct of his defence; and, on the other hand, application for withdrawal of Mr. Alfred Pognon's assignment addressed to the Registrar and received on 18 April 2005;

CONSIDERING Mr. Alfred Pognon's response of 18 April 2005, in which he accepts not to defend any longer the interests of the Accused, Athanase Seromba, before this Tribunal;

RULING as follows, in accordance with Rule 54 of the Rules of Procedure and Evidence the ("Rules");

CONSIDERING that presentation of Defence evidence had to begin on 10 May 2005; that, subsequently, due to differences between the Accused and the Lead Counsel, the proceedings have not been able to resume till date;

CONSIDERING that the current situation leads to a factual adjournment of the proceedings; that the persistent impasse in the relation between the Accused and his Lead Counsel would obstruct continuation of the trial;

CONSIDERING that pursuant to the Statute, Rules of Procedure and Evidence and Directive on the Assignment of Defence Counsel, the Registrar is the sole authority with powers to assign Defence Counsel, and that, consequently, the Registrar remains the sole authority with powers to withdraw such assignment; that it is appropriate for the Registrar to decide on the application of the Accused, Athanase Seromba, as rapidly as possible;

CONSIDERING that it is up to the Chamber to guarantee the proper conduct and fair character of the proceedings;

FOR THE FOREGOING REASONS,

THE CHAMBER

INSTRUCTS the Registrar to decide, by 27 May 2005 at the latest, on Athanase Seromba's application.

The Prosecutor v. Athanase Seromba, Case No. ICTR-2001-66-T

Arusha, this 19th day of May 2005

[Signed]

Andrésia Vaz
Presiding Judge

[Signed]

Karin Hökberg
Judge

[Signed]

Gberdao Gustave Kam
Judge

[Seal of the Tribunal]

