

ICTR-99-54A-A
06-09-2005
(1492A/1490/A)

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UNITED NATIONS
NATIONS UNIES



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

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**Office of the President
Cabinet du Président**

Before: Judge Erik Møse, President

Original: English

Registrar: Mr Adama Dieng

Date: 5 September 2005

JEAN DE DIEU KAMUHANDA

VERSUS

THE PROSECUTOR

ICTR-99-54A-A

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**The President's Authorisation to Hold Appeals Hearing Away From the Seat of the
Tribunal**

For the Appellant:

Ms Aicha Condé

For the Respondent:

Mr Hassan Bubacar Jallow
Mr James Stewart
Ms Amanda Reichman
Mr Neville Weston
Ms Inneke Onsea
Mr Abdoulaye Seye

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THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

SITTING in the person of Judge Erik Møse, President;

RECALLING that on 1 September 2005, the Presiding Judge of the Appeals Chamber, Judge Theodor Meron, requested to hold a hearing in the appeal of Jean de Dieu Kamuhanda v. The Prosecutor ("the Kamuhanda Appeal") away from the seat of the Tribunal, at the International Criminal Tribunal for the Former Yugoslavia (ICTY), in The Hague, the Netherlands, on 19 September 2005;

NOTING that the Appeals Chamber has completed its deliberations in the Kamuhanda Appeal and are ready to deliver its judgment;

OBSERVING that the five Judges comprising the Appeals Chamber have their offices at The Hague and have no scheduled missions to the seat of the Tribunal;

TAKING INTO ACCOUNT that if the delivery of the judgment is to be stayed until the next mission of the Appeals Chamber to the seat of the Tribunal, this will significantly delay the proceedings;

CONSIDERING Rule 4 of the Rules of Procedure and Evidence which states that the President may authorise a Chamber or Judge to exercise their functions away from the seat of the Tribunal if it is in the interests of justice;

FINDS that it is in the interests of justice to avoid any delay in the delivery of judgment in the Kamuhanda appeal;

ORDERS that:

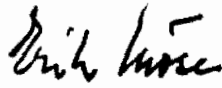
- (a) the judgment in the Kamuhanda Appeal be delivered on 19 September 2005 at the seat of the ICTY, in The Hague, the Netherlands;
- (b) If the Appellant exercises his right to be present at this hearing, he shall be transferred to The Hague and detained at the ICTY Detention Facility;

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(c) On completion of the hearing, he shall be transferred to the Tribunal's Detention Facility in Arusha.

Arusha, 5 September 2005



Erik Møse

President

(Seal of the Tribunal)

