

IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding Judge

Registrar: Mr. Adama Dieng

Order of: 24 November 2005

PROSECUTOR

v. Ferdinand NAHIMANA Jean-Bosco BARAYAGWIZA Hassan NGEZE

Case No. ICTR-99-52-A

ORDER REPLACING A JUDGE IN A CASE BEFORE THE APPEALS CHAMBER

Counsel for Jean-Bosco Barayagwiza

Mr. Donald Herbert

Mr. Tanoo Mylvaganam

Counsel for Ferdinand Nahimana

Mr. Jean-Marie Biju-Duval

Ms. Diana Ellis

Counsel for Hassan Ngeze

Mr. Bharat B. Chadha

Mr. Behram Shroff

Office of the Prosecutor

Mr. James Stewart

Mr. Neville Weston

Mr. Abdoulaye Seye

I, FAUSTO POCAR, 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.

NOTING the "Acte d'appel" filed by Ferdinand Nahimana on 4 May 2004; the "Notice d'Appel" and "Acte d'appel modifié" filed by Jean-Bosco Barayagwiza on 22 April 2004 and 27 April 2004, respectively; and the "Defence Notice of Appeal" and "1st Amendment of Appeal Notice", filed by Hassan Ngeze on 9 February 2004 and 30 April 2004, respectively, against the Judgement and Sentence rendered by Trial Chamber I on 3 December 2003;

NOTING the "Order Replacing a Judge in a Case Before the Appeals Chamber" issued on 18 November 2005 in this case;

CONSIDERING the composition of the Appeals Chamber as set out in document IT/242 of the International Tribunal for the former Yugoslavia, issued on 17 November 2005;

CONSIDERING that this case is in its pre-appeal phase and that, thus, no hearing in this case has been held;

HEREBY ASSIGN, with immediate effect, Judge Mehmet Güney to replace Judge Liu Daqun in the present case;

AND ORDER that the Bench in *Prosecutor v. Ferdinand Nahimana, Jean-Bosco Barayagwiza and Hassan Ngeze*, Case No. ICTR- 99-52-A, shall be composed as follows:

Judge Fausto Pocar

Judge Mohamed Shahabuddeen

Judge Mehmet Güney

Judge Andrésia Vaz

Judge Theodor Meron

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

Done this 24th day of November 2005, At The Hague,

The Netherlands.

Judge Fausto Pocar Presiding Judge of the Appeals Chamber

[Seal of the Tribunal]