



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

1390/H

ICTR-98-44-AR72.7
01 June 2006
(1390/H - 1388/H)

IN THE APPEALS CHAMBER

P.T.

Before: Judge Fausto Pocar, Presiding Judge
Registrar: Mr. Adama Dieng
Order of: 1 June 2006

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THE PROSECUTOR

v.

Édouard KAREMERA
Mathieu NGIRUMPATSE
Joseph NZIRORERA

IGTR Appeals Chamber
Date: 01 June 2006
Action: *P.T.*
Copied To: *See Reg of Rwanda*
[Signature]

Case No. ICTR-98-44-AR72.7

ORDER OF THE PRESIDING JUDGE ASSIGNING A BENCH OF THREE JUDGES PURSUANT TO RULE 72(E) OF THE RULES OF PROCEDURE AND EVIDENCE

Office of the Prosecutor:

Mr. Hasan Bubacar Jallow
Mr. James Stewart
Mr. Don Webster
Ms. Linda Bianchi

Counsel for the Defence:

Ms. Dior Diagne and Mr. Félix Moussa Sow for
Édonard Karemera
Ms. Chantal Hounkpatin and Mr. Frédéric Weyl
for Mathieu Ngirumpatse
Mr. Peter Robinson for Joseph Nzirorera

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: *KDEFI... KURELIA... A... AFANDE...*
SIGNATURE: *[Signature]* DATE: *01 June 2006*

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1389/H

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 ("International Tribunal"),

NOTING the "Prosecutor's Motion for Determination that the Interlocutory Appeal as of Right May Proceed Immediately, for Leave to File a Written Brief on the Merits of the Appeal, and for a Scheduling Order", filed on 30 May 2006;

CONSIDERING that the Prosecution seeks to proceed with this appeal as of right as an appeal challenging jurisdiction under Rule 72(B)(i) of the Rules of Procedure and Evidence of the International Tribunal ("Rules");

CONSIDERING that Rule 72(E) of the Rules provides that an appeal brought under Rule 72(B)(i) may not be proceeded with if a bench of three judges of the Appeals Chamber decides that the appeal is not capable of satisfying the requirements of Rule 72(D), in which case the appeal shall be dismissed;

CONSIDERING the composition of the Appeals Chamber of the International Tribunal as set out in document IT/245 of the International Criminal Tribunal for the former Yugoslavia issued on 12 May 2006;

NOTING Article 13(4) of the Statute of the International Tribunal;

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HEREBY ORDER that, in *Prosecutor v. Karemera, et al.*, Case No. ICTR-98-44-AR72.7, for the purpose of determining whether the appeal may proceed pursuant to Rule 72(E) the bench be composed as follows:

Judge Mehmet Güney

Judge Liu Daqun

Judge Wolfgang Schomburg

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

Done this 1st day of June 2006,
At The Hague,
The Netherlands.



Fausto Pocar

Judge Fausto Pocar
Presiding Judge

[Seal of the International Tribunal]