Icir-98-44B-R71 bis 23-5-2011 (347 - 346)



International Criminal Tribunal for Rwanda Tribunal pénal international pour le Rwanda

OR: ENG

SPECIAL DEPOSITION PROCEEDINGS

Before:

Judge Vagn Joensen

Registrar:

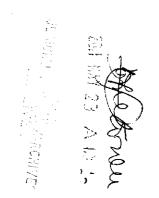
Mr. Adama Dieng

Date:

18 May 2011

THE PROSECUTOR
v.
FELICIEN KABUGA

Case No. ICTR-98-44B-R71bis



DECISION ON DEFENCE LAWYER'S REQUEST TO BE APPOINTED IN THE SPECIAL DEPOSITION PROCEEDINGS

Office of the Prosecutor:

Mr. Hassan B. Jallow

Mr. Richard Karegyesa

Mr. Bill Egbe

Mr. Peter Tafah

Mr. Disengi Mugeyo

Ms. Sharifah Adong

For the Accused:

Mr. Bahame Tom Nyanduga (Duty Counsel)

For the Family of the Accused:

Mr. Emmanuel Altit

INTRODUCTION

- 1. On 2 May 2011, Defence Counsel Mr. Emmanuel Altit addressed an e-mail to the President of the Tribunal indicating that the family of the fugitive Accused, Félicien Kabuga, had mandated him to represent them and the Accused at the forthcoming special deposition proceedings and requesting to be formally appointed by the Tribunal. In separate Orders dated 4 May 2011 and 6 May 2011, I invited the Parties and Mr. Altit as well as the Registrar to make any submissions they may have on the issue of whether Mr. Altit might have *locus standi* to appear in these special deposition proceedings. The Parties and the Registrar filed timely submissions under "strictly confidential" cover.
- 2. Mr. Altit requested and received an extension of the filing deadline³ but failed to make any submissions by 16 May 2011. However, on 17 May 2011, he sent an e-mail stating that he was withdrawing his request to appear in these proceedings.

FOR THESE REASONS, I

- I. DECLARE Defence Counsel Mr. Emmanuel Altit's request moot; and
- II. DISMISS the request in its entirety.

18 May 2011, done in English.

¹ The Prosecutor v. Félicien Kabuga, Case No. ICTR-98-44B-R71bis, Order for Submissions, 4 May 2011, and Further Order for Submissions, 6 May 2011.

² The Prosecutor v. Félicien Kabuga, Case No. ICTR-98-44B-R71bis, Prosecutor's submissions pursuant to the Judge's order of 4 May 2011 on the issue of whether the lawyer mandated by the family of the Accused might have locus standi to appear in the special deposition proceedings in this case, 11 May 2011 ("Prosecutor's Submissions"); Duty Counsel's Submission in Respect [of] Mr. Emmanuel Altit's Request to Represent the Family of Mr. Felicien Kabuga, 11 May 2011 ("Duty Counsel's Submissions"); Observations du Greffier soumises en application de l'article 33(B) du Règlement de procédure et de prevue, en exécution de l'Ordonnance de la Chambre de première instance depose le 6 mai 2011, 13 May 2011 ("Registrar's Submissions") [all submissions filed as "strictly confidential"].

³ The Prosecutor v. Félicien Kabuga, Case No. ICTR-98-44B-R71bis, Decision on Defence Lawyer's Request for an Extension of the Filing Deadline, 13 May 2011.