



UNITED NATIONS  
NATIONS UNIES

Tribunal Pénal International pour le Rwanda  
International Criminal Tribunal for Rwanda

3906/H

ICTR-98-41-A  
12<sup>th</sup> December 2011  
{3906/H – 3905/H}

**IN THE APPEALS CHAMBER**

**Before:**

Judge Theodor Meron, Presiding  
Judge Patrick Robinson  
Judge Mehmet Güney  
Judge Fausto Pocar  
Judge Liu Daqun

**Registrar:**

Mr. Adama Dieng

**Decision of:**

12 December 2011

**ICTR Appeals Chamber**

Date: 12 December 2011  
Action: R. Güney  
Copied To: All concerned

**Théoneste BAGOSORA  
Anatole NSENGIYUMVA**

v.

**THE PROSECUTOR**

*Case No. ICTR-98-41-A*

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**DECISION ON REQUEST FOR POSTPONEMENT**

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**Counsel for Théoneste Bagosora**

Raphaël Constant  
Richard Perras

**Counsel for Anatole Nsengiyumva**

Kennedy Ogetto  
Gershom Otachi Bw'Omanwa

**Office of the Prosecutor**

Hassan Bubacar Jallow  
James J. Arguin  
George W. Mugwanya  
Inneke Onsea  
Renifa Madenga  
Abubacarr Tambadou  
Evelyn Kamau  
William Mubiru  
Aisha Kagabo  
Ndeye Marie Ka

**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 (“Tribunal”);

**NOTING** the Scheduling Order of 15 November 2011, which sets the delivery of the Judgement in this case for Wednesday, 14 December 2011;

**BEING SEIZED** of a request by Théoneste Bagosora’s Lead Counsel (“Lead Counsel”) filed on 12 December 2012 requesting postponement of the delivery of the Judgement due to Lead Counsel’s inability to attend the hearing on 14 December 2011 as a result of other professional engagements (“Request”);


**CONSIDERING** that the late filing of the Request was not justified and that the presence of Counsel is not required for the delivery of the Judgement;

**CONSIDERING** that it is in the interests of justice to deliver the Judgement in this case as scheduled;

**HEREBY DENIES** the Request.

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

Done this 12th day of December 2011,  
At Arusha, Tanzania,

  
\_\_\_\_\_  
Judge Theodor Meron  
Presiding

[Seal of the Tribunal]