



UNITED NATIONS  
NATIONS UNIES

ICTR-98-44D  
26-9-2012  
(9995 9993)  
International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR: ENG

**OFFICE OF THE PRESIDENT**

**Before:** Judge Vagn Joensen,  
*President of the Tribunal*

**Registrar:** Pascal Besnier

**Date:** 26 September 2012

**THE PROSECUTOR**

v.

**Callixte NZABONIMANA**

**Case No. ICTR-98-44D**

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JUDICIAL RECORDS ARCHIVE  
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**ORDER ASSIGNING A BENCH TO CONSIDER AN AMICUS CURIAE REPORT**

**Office of the Prosecutor:**

Hassan Bubacar Jallow  
Richard Karegyesa  
James Arguin  
Paul Ng'Arua

**For the Accused:**

Vincent Courcelle-Labrousse  
Philippe Larochelle

**I, VAGN JOENSEN**, President of the Tribunal;

**NOTING** the Memorandum from the Registry dated 18 September 2012 conveying the request from Judges Bossa and Rajohnson that appropriate action be taken so that a pending Amicus Curiae Report related to allegations of contempt of court may be properly considered and ruled upon;<sup>1</sup>

**RECALLING** that the Judgement and Sentence in the case of *The Prosecutor v. Callixte Nzabonimana* was pronounced on 31 May 2012;

**CONSIDERING** the 30 September 2011 decision by the Appeals Chamber in the *Nyiramasuhuko et. al.* case which affirmed that a Chamber retains jurisdiction after judgement has been pronounced with respect to ancillary matters of which it is properly seised and that issues relating to possible contempt are independent of the proceedings out of which they arise;<sup>2</sup>

**CONSIDERING** that pursuant to Security Council Resolution 1966 (2010) jurisdiction for all contempt cases in which an indictment has not been issued prior to 1 July 2012 shall fall to the Mechanism for International Criminal Tribunals ("MICT");

**CONSIDERING** the composition of the Trial Chamber of the Tribunal, including the recent redeployment of Judge Bakhtiyar Tuzmukhamedov to the Appeals Chamber;

**HEREBY ORDER** that the Chamber designated to consider the Amicus Curiae report concerning allegations of contempt of court in the *Nzabonimana* case, including whether the matter should be referred to the MICT for issuance of an indictment, shall be composed as follows:

Judge Solomy Bossa, *Presiding*

Judge Bakhtiyar Tuzmukhamedov

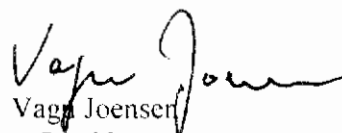
Judge Mparany Rajohnson

<sup>1</sup> Interoffice Memorandum: NZABONIMANA – Amicus Curiae Report Follow-up, from Nouhou M. Diallo, Legal Officer, Court Management Section to President Vagn Joensen, Mr. Paul Ng' Arua, OTP Senior Trial Attorney, and Mr. Vincent Courcelle-Labrousse, Defence Counsel, Ref: ICTR/JUD/11-6-1-12/039, filed on 18 September 2012.

<sup>2</sup> *The Prosecutor v. Pauline Nyiramasuhuko et. al.*, Case No. ICTR-98-42-A, Decision on Pauline Nyiramasuhuko's Motion to Void Trial Chamber Decisions (AC), 30 September 2011.

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Arusha, 26 September 2012, done in English.

  
Vagn Joensen  
President

