

ICTR-98-44-AR15bis.2

27 OCTOBER 2004

(94214 - 94114)

942/1



Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

IN THE APPEALS CHAMBER

Before:

Judge Theodor Meron, Presiding Judge
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Wolfgang Schomburg
Judge Inés Mónica Weinberg de Roca

Registrar:

Mr. Adama Dieng

Declaration of:

23 October 2004

ICTR Appeals Chamber
Date: 27 October 2004
Action: PG
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Parties, Judicial Arc
LDs, LSS

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Edouard KAREMERA
Mathieu NGIRUMPATSE
Joseph NZIRORERA
Andre RWAMAKUBA

v.

THE PROSECUTOR

Case No. ICTR-98-44-AR15bis.2

DECLARATION OF JUDGE SCHOMBURG IN RELATION TO REASONS FOR DECISION ON INTERLOCUTORY APPEALS REGARDING THE CONTINUATION OF PROCEEDINGS WITH A SUBSTITUTE JUDGE AND ON NZIRORERA'S MOTION FOR LEAVE TO CONSIDER NEW MATERIAL

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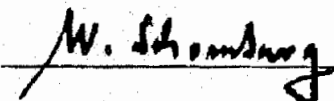
Case No. ICTR-98-44-AR15bis.2

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
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NAME / NOM: Rose He Muzigo-Morrison
SIGNATURE: [Signature] DATE: 27 Oct. 2004

DECLARATION OF JUDGE SCHOMBURG

Having taken note of Judge Shahabuddeen's Declaration of 22 October 2004, I agree with his reasoning insofar as he states that he does not "consider it necessary to make a finding as to whether an appearance of bias attached to Judge Vaz, and I do not find that there was any such appearance in the case of the two remaining Judges", this being one of the reasons for my dissent.

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


Judge Wolfgang Schomburg

Dated this twenty-third day of October 2004
At The Hague
The Netherlands

[Seal of the Tribunal]

