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ICTR-98-44-PT
25-4-2005
(19337 - 19336)

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UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER III

Before Judges: Dennis C. M. Byron, Presiding
Emile Francis Short
Gberdao Gustave Kam

Registrar: Adama Dieng

Date: 25 April 2005

THE PROSECUTOR

v.

Édouard KAREMERA
Mathieu NGIRUMPATSE
Joseph NZIRORERA

Case No. ICTR-98-44-R46

JUDICIAL RECORDS/ARCHIVES
ICTR

ICTR

2005 APR 25 P 5:18
A.M.

**CORRIGENDUM TO DECISION ON THE PROSECUTION MOTION FOR SANCTIONS
AGAINST COUNSEL FOR NZIRORERA FOR VIOLATION OF WITNESS PROTECTION
ORDER AND FOR AN INJUNCTION AGAINST FURTHER VIOLATIONS**

Rule 46(A) of the Rules of Procedure and Evidence

Office of the Prosecutor:
Don Webster
Dior Fall
Gregory Lombardi
Ian Morley
Bongani Dyani
Sunkarie Ballah-Conteh
Tamara Cummings-John
Takeh Sendze

Defence Counsel for Édouard Karemera
Dior Diagne Mbaye and Félix Sow

Defence Counsel for Mathieu Ngirumpatse
Frédéric Weyl

Defence Counsel for Joseph Nzirorera
Peter Robinson

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA ("Tribunal"),

SITTING as Trial Chamber III, composed of Judge Dennis C. M. Byron, Presiding Judge,
Judge Emile Francis Short and Judge Gberdao Gustave Kam ("Chamber");


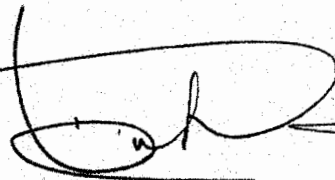
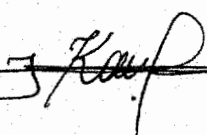
NOTING paragraph 7 of the Decision on the Prosecution Motion for Sanctions Against
Counsel for Nzirorera for Violation of Witness Protection Order and for an Injunction against
Further Violations, issued on 19 April 2005, which states that "[...] The Appeals Chamber's
finding that a Judge of the prior Bench who participated in the Decision of 20 October 2003
does not affect that conclusion. [...]";

CONSIDERING that the cited paragraph contains a typographical error;

HEREBY ORDERS that paragraph 7 of the above mentioned Decision reads as follows:

The Chamber is also aware of the Defence's view, presented in another Motion,¹ that the above
mentioned Decision should be given no effect pursuant to the Appeals Chamber's Decision of 22
October 2004.² The Defence's obligation to comply with it stems from the fact that it was in force
when the letter was written. The Appeals Chamber's finding that a Judge of the prior Bench who
participated in the Decision of 20 October 2003 was affected by an appearance of bias does not
affect that conclusion. It is clear that a party could not act contrary to a Tribunal's order on the
assumption that the said order could be revised or is no longer binding.

Arusha, 25 April 2005, done in English.

		
Dennis C. M. Byron	Emile Francis Short	Gberdao Gustave Kam
Presiding Judge	Judge	Judge

[Seal of the Tribunal]



¹ See Joseph Nzirorera's Motion for Order Finding Prior Decisions to Be of "No Effect", filed on 25 February 2005.

² *Prosecutor v. Edouard Karemera, Mathieu Ndirumpatse, Joseph Nzirorera and André Rwamakuba*, Case No. ICTR-98-44-AR15bis.2, 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 (AC), 22 October 2004.