

ICTR-98-44-T
10-9-2009
(47844-47843)

47844
HM



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
Gberdao Gustave Kam
Vagn Joensen

Registrar: Adama Dieng

Date: 10 September 2009

2009 SEP 10 11:25
JUDICIAL RECORDS/ARCHIVES
RECEIVED

THE PROSECUTOR

v.

**Édouard KAREMERA
Matthieu NGIRUMPATSE
Joseph NZIRORERA**

Case No. ICTR-98-44-T

**ORDER CONCERNING JOSEPH NZIRORERA'S SUBMISSION ON VIOLATION
OF HIS RIGHTS**

Rule 54 of the Rules of Procedure and Evidence

Office of the Prosecution:

Don Webster
Saidou N'Dow
Arif Virani
Eric Husketh
Sunkarie Ballah-Conteh
Takeh Sendze

Defence Counsel for Édouard Karemera
Dior Diagne Mbaye and Félix Sow

Defence Counsel for Matthieu Ngirumpatse
Chantal Hounkpatin and Frédéric Weyl

Defence Counsel for Joseph Nzirorera
Peter Robinson and Patrick Nimy Mayidika Ngimbi

SM

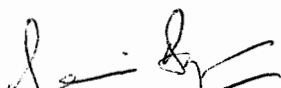
1. On 6 August 2009, Joseph Nzirorera filed submissions concerning the alleged violations of his rights which have occurred since his arrest.¹ The Prosecution responded to the merits of the Submission.²

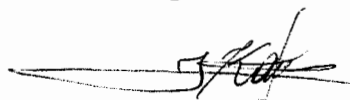
2. The Chamber notes that Joseph Nzirorera is not seeking a ruling on his Submission now, but rather requests that the Chamber take it into consideration at the time of the final judgement in these proceedings.³ As such, the Submission is really a closing brief and the Chamber finds that it has been improperly filed at this stage of the proceedings. Accepting closing arguments in a piecemeal fashion could lead to unfairness and confusion and, consequently, the Chamber will not consider it. Joseph Nzirorera may include the arguments contained in the Submission in his closing brief, subject to any word limitations that may later be ordered.

FOR THESE REASONS, THE CHAMBER

DISMISSES Joseph Nzirorera's Submission on Violation of his Rights in its entirety.

Arusha, 10 September 2009, done in English.


Dennis C. M. Byron
Presiding Judge


Gberdao Gustave Kam
Judge


Vagn Joensen
Judge

[Seal of the Tribunal]



¹ Joseph Nzirorera's Submission on Violation of his Rights, filed 6 August 2009 ("Submission")
² Prosecutor's Response to Joseph Nzirorera's Submission on Violation of his Rights, filed 11 August 2009.
³ Submission, para. 1.