

ICTR-2000-55-1
3/11/2000
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UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda

ORIG: Eng.

Before: Judge Yakov Ostrovsky

Registrar: Dr. Agwu Ukiwe Okali

Decision of: 3 November 2000

THE PROSECUTOR
versus
THARCISSE MUVUNYI
and others

Case No. ICTR-2000-55-I

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DECISION ON THE PROSECUTOR'S MOTION TO GRANT LEAVE FOR
CORRECTION OF INDICTMENT ICTR-2000-55-I

Office of the Prosecutor:
Ms. Silvana Arbia

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

SITTING in the person of Judge Yakov Ostrovsky in conformity with Rule 50(A) of the Rules of Procedure and Evidence of the Tribunal;

BEING SEIZED of the Prosecutor's Motion to Grant Leave for Correction of Indictment ICTR-2000-55-I, filed on 2 November 2000 (the "Motion");

RECALLING the Indictment against Tharcisse Muvunyi and others, dated 21 January 2000 and confirmed on 2 February 2000 (the "Indictment");

NOW DECIDES the matter.

PROSECUTOR'S SUBMISSIONS

- 1. The Prosecutor submits that the Indictment contains certain typographical and clerical errors that she now wishes to correct. She asserts that the corrections will aid in eliminating confusion in the Indictment. The Prosecutor states that the proposed corrections do not introduce new counts or new facts and that they would not change the substance of the Indictment. Consequently, the corrections would not prejudice the accused.
- 2. For these reasons, the Prosecutor requests leave to correct the Indictment.

FINDINGS

- 3. Rule 50(A) provides that the Prosecutor may amend the indictment after its confirmation but before the initial appearance of the accused only with leave of the Judge who confirmed the indictment.
- 4. I confirmed the Indictment in this matter and the accused has not yet had an initial appearance pursuant to Rule 62.
- 5. The corrections that the Prosecutor seeks leave to make in the Indictment are of a technical nature and do not change its substance.

ICTR-2000-55-I

FOR THESE REASONS, THE TRIBUNAL

6. **GRANTS** the Prosecutor's request to correct the Indictment as set out in the Motion.
7. **ORDERS** that the corrected Indictment be served on the accused Muvunyi and his Counsel without delay.
8. **RECALLS** the non-disclosure order made on 2 February 2000.

Arusha, 3 November 2000.



Yakov Ostrovsky
Judge

[Seal of the Tribunal]