



# ICTR Newsletter

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United Nations International Criminal Tribunal for Rwanda

April 2009

## Justice Jallow Visits the United States

The Prosecutor of the UN International Criminal Tribunal for Rwanda, Justice Hassan Bubacar Jallow between 11 April – 21 April 2009 visited the United States of America during which he met and held talks with various institutions and groups in California, briefing them on the work of the Tribunal, before attending and participating in the grand opening and inaugural symposium of the Illinois Holocaust Museum and Education Centre in Chicago.



Justice Jallow flanked by Mr. Parkinson and Mr. Prosper, Mr. Tafah (ext left), Judge Miller (ext right) and other legal officers



Mr. Jallow with the Honorable Speaker of the US Congress Ms. Nancy Pelosi and Mr. James W. Parkinson, a senior US Criminal Law Attorney

The visit was hosted by Mr. James W. Parkinson, a senior US Criminal Law Attorney with a law office in Desert Palm, California and Judge Douglas P. Miller, an Associate Justice of the Court of Appeal, Fourth Appellate District Riverside, California.

Between 12 April and 17 April 2009, Justice Jallow accompanied by his Assistant, Peter Tafah, travelled to various universities and related locations in Palm Springs, Riverside and Los Angeles where he made presentations to students, professors and other staff members as well as Judges, local Prosecutors, Attorneys and invited guests on the activities of the Tribunal.

The talks were followed by discussions with question and answer sessions. ICTR information kits including brochures, leaflets and films were distributed during the sessions.

The Prosecutor met the Honorable Speaker of the US Congress, HE Ms. Nancy Pelosi

at the University of California Los Angeles during one of his presentations at the Law School.

On 19 April 2009 the Prosecutor attended the official opening ceremony of the Illinois Holocaust and Education Centre. The ceremony, whose keynote speaker was former US President Bill Clinton, was attended by distinguished dignitaries including Senators and Governors from the US and scholars and Ambassadors from various countries.



Justice Jallow speaking at UCLA

The next day, Justice Jallow, as one of the panelists, made a strong presentation on the work of the Tribunal and its historical contribution to international criminal justice and international law.

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**Editor-in-Chief:** Roland Amoussouga  
**Senior Editor:** Bocar Sy  
**Associate Editor:** Danford Mpumilwa  
**Editing/Layout/Design/Photos:** Rani Dogra  
**Contributions:** Koffi Afande, Noun Bandyandora, Julie Greenspoon, Charles Kamuru, Danford Mpumilwa, Peter Tafah, Roger Kuombo-Tchinda, Helge Zeitler,

**E-Mail:** [ictr-press@un.org](mailto:ictr-press@un.org)



## ICTR Judicial Activities

### Judicial Calendar

Case	Bench	Prosecution	Defence	Party presenting his/here case
<b>Hategekimana</b>	Judges Ramaroson (pres.), Hikmet, Masanche	William Egbe Peter Tafah Sulaiman Khan Adama Niane Guilain DisengiMugeyo Amina Ibrahim	A.R. Dovi Ata-Quam-Dovi- Avouyi	Prosecution
<b>Kalimanzira</b>	Judges Byron (Pres.), Kam, Joensen	C. Graham V. Wright K. Murukutla O. Jammeh	A. Vercken A. Guisse	Closing Arguments
<b>Kanyarugika</b>	Judges Short (Pres.), Masanche	H. Makwaia A. Alexis Windsor M. Tidiane	D. Jacobs P. Skolnik	Status Conference
<b>Karemera et al.</b> E. Karemera M. Ngirumpatse J. Nzirorera	Judges Byron (Pres.), Kam, Joensen	D. Webster A. Frankson-Wallace I. Morley S. N'Dow G. Visser S. Ballah-Conteh T. Sendze D. Mbutu	D. Diagne/ F. Sow P. Robinson/ P. Ngimbi C. Hounkpatin/ F. Weyl	Defence for Karemera (continued)
<b>Munyakazi</b>	Judges Arrey (Pres.), Rajohnson, Akay	Richard Karegyesa Didace Nyirinkwaya Stephen Agaba	J. Mwaikusa E. Nyampinga	Prosecution
<b>Nyiramasuhuko et al. (Butare)</b> E. Ndayambaje J. Kanyabashi P. Nyiramasuhuko A. Ntahobali S. Nsabimana A. Nteziryayo	Judges Sekule (Pres.), Ramaroson, Bossa	A. Whest H. Makwaia A. Alexis-Windsor	M. St. Laurent/ A. Valdivia B. Gumpert/ J. Kirk M. Croteau / Ph. Laroche T. Moran/ C. Cline	Closing Arguments
<b>Setako</b>	Judges Møse (Pres.), Egorov, Arrey	I. Ojemeni-Okali, C. Fomenky, S. Mawere	L. Hinds	Prosecution

### Work of the Trial Chambers and the Appeals Chamber between 1 and 23 April 2009

#### 1. Trial Chamber I

##### Ongoing trials

##### **Setako**

The Prosecution case resumed on 20 April to hear its last witness via video link. The Chamber sat under Rule 15 bis on 22 April, when the same witness's testimony was completed and the OTP case was closed, in a total of 32 trial days. A status conference was also held on 22 April, and the proceedings were adjourned until 4 May for the start of the Defence case.

##### **Munyakazi**

The Trial started on 22 April 2009 before Judges Arrey (presiding), Rajohnson and Akay. The Prosecution case will continue until 1 May and then have a break to

allow the Presiding Judge to sit for the first part of the Defence case in Setako. It will continue in early June.

##### Cases where judgement delivery is awaited

##### **Renzaho**

Deliberations in this case are ongoing. The Chamber will announce the date of judgment in due course.

##### **Nsengimana**

Deliberations in this case are ongoing. The Chamber will announce the date of judgment in due course.

#### 2. Trial Chamber II

##### Ongoing trials

##### **Hategekimana**

On 16 March 2009, the Prosecution case against Idephone Hategekimana, a commander of the Ngoma



Military Camp, commenced. All Prosecution witnesses but one have been heard. The last one will be heard on 4 May by video-link. Over the course of twenty-one trial days, the Trial Chamber heard the evidence of twenty Prosecution witnesses and issued four written and sixteen oral decisions. The Defence case is scheduled to begin on 22 June 2009. It is projected to run over five trial weeks.

### **Trials in Judgement Drafting Phase**

#### ***Nyiramasuhuko et al. (Butare)***

The Chamber is hearing the oral Closing Arguments from 20 April to 30 April 2009. Judgement drafting is in progress.

#### ***Military II***

The evidence phase closed on 18 February 2009. The Parties filed their final Closing Briefs on 31 March 2009. The Chamber went on a site visit to Rwanda from 13-17 April. Final Closing arguments will be heard on 24, 25, 26 June 2009. Judgement drafting is in progress.

#### ***Bizimungu et al.***

After having heard closing arguments from 1 to 5 December 2008, the Chamber is currently considering pending interlocutory motions and is engaged in the judgement drafting.

### **Trials to Commence Shortly**

#### ***Kanyarugika***

A status conference was held on 17 April. The trial is scheduled to start on 1 June.

#### ***Ngirabatware***

The trial is scheduled to start on 18 May 2009. On 15 April 2009, the Chamber granted a Defence motion to certify the appeal of a decision denying the vacation of the trial date indicating that if the determination of the appeal was filed after the 18 May 2009, the commencement of the trial shall be stayed. The decision of the Appeals Chamber is awaited.

### **3. Trial Chamber III**

#### **Ongoing trials**

#### ***Karemera et al.***

Since the resumption of the trial, on 24 March 2009, the Chamber has heard 12 Witnesses including one witness from video-link from Canada. The presentation of Karemera's defence case will continue on 4 May 2009. Matthieu Ndirumpatse is still absent of the courtroom due to his health condition. The decision of the Appeals Chamber on the Chambers' decision to sever his case from the Karemera trial is awaited. In 2009, the Chamber has rendered so far 58 oral and written decisions.

### **Trials in Judgement Drafting Phase**

#### ***Kalimanzira***

The Chamber received Closing Briefs on 2 April 2009 and heard Closing Arguments on 20 April 2009. The Chamber is now in deliberations and Judgement

writing phase.

#### ***Nshogoza***

The Defence Case closed on 27 March. Closing arguments will be heard on 29 April. Judgement delivery is expected in the first half of 2009.

### **Trials to start soon**

#### ***Muvunyi***

On 24 March, the Appeals Chamber had granted the Prosecutor's appeal against a Trial Chamber decision which would have limited the scope of evidence in the retrial to the evidence presented during the first trial. The Chamber will hold a Status Conference on 27 April to discuss the date to start the re-trial (probably end of June).

#### ***Ntawukulilyayo***

The trial is scheduled to commence on 4 May. Orders have been issued in respect of pre trial matters with the purpose of narrowing down the issues and preparing for the commencement of trial. The Prosecution intends to call 15 witnesses.

### **4. Appeals Chamber**

The Appeals Chamber is seized of fifteen matters, including five cases involving appeals from judgement.

In the *Bikindi* case, both parties filed notices of appeal from the Trial Judgement rendered on 2 December 2008 and the briefing is in progress.

In the *Zigiranyirazo* case, where the Trial Judgement was rendered on 18 December 2008, both parties filed notices of appeal and the briefing is in progress. The Appeals Chamber granted an extension of time to Protais Zigiranyirazo to file his appellant's brief within 40 days of the filing of the French translation of the judgement (filed on 17/04/09).

In the *Nchamihigo* case, the appellant filed his notice of appeal on 6 March 2009 and the briefing is in progress.

In connection with the *Bagosora et al.* Trial Judgement pronounced on 18 December 2008, the Appeals Chamber decided that Theoneste Bagosora's notice of appeal is to be filed no later than 30 days from the date of the filing of the French translation of the Trial Judgement. Aloys Ntabakuze and Anatole Nsengiumva filed their notices of appeal.

In the *Rukundo* case, in which the Trial Judgement was rendered on 27 February 2009, the prosecution filed its notice of appeal on 14 April 2009 and the Appeals Chamber granted an extension of time to Emmanuel Rukundo to file his notice of appeal within 30 days of the French translation of the Trial Judgement.

The Appeals Chamber is also seized of five interlocutory appeals: an appeal from Joseph Nzirorera concerning disclosure, an appeal concerning the continuation of the *Karemera et al.* trial, an appeal from Joseph Nzirorera concerning admission of



evidence rebutting adjudicated facts, an appeal from Leonidas Nshogoza concerning sanctions imposed on counsel, and an appeal from Augustin Ndirabatware concerning his trial date. The Appeals Chamber also has before it an appeal from Tharcisse Muvunyi concerning provisional release.

In addition to these appeals, the Appeals Chamber is seized of a request for review relating to the *Media* case Appeal Judgement, filed by Jean-Bosco Barayagwiza; as well as applications from Georges Rutaganda, Emmanuel Ndirabahizi, and Alfred Musema concerning post appeal matters.

From the beginning of 2009, the Appeals Chamber has rendered one Judgement, in the *Karera* case, five decisions on interlocutory appeals, four decisions concerning post appeal matters, and fifty preliminary decisions or orders.

To date, the Appeals Chamber has delivered twenty-one Appeal Judgements, concluding the appellate proceedings in respect of twenty-seven persons.

### Closing Arguments Presented in Nshogoza Case

The Prosecution and the Defense concluded their respective cases in the trial of Léonidas Nshogoza on 28 April 2009. Nshogoza is charged with contempt of the Tribunal and attempt to commit acts punishable as contempt of the Tribunal, before Trial Chamber III of the International Criminal Tribunal for Rwanda (ICTR), composed of Judges Khalida R. Khan, Presiding, Lee G. Muthoga and Judge Aydin Akay.



In its summation, the Prosecution prayed for the conviction of the accused and requested for an appropriate and effective sentence which can deter similar crimes in future. The Prosecution stated that, on account of uncontroverted evidence it had proved that the accused knowingly and willfully perverted the course of justice by corruptly soliciting and procuring false testimony. It added that much as the case was simple but the charges were very serious because they involve an attempt to pervert justice in a genocide case and interfering in the administration of justice.

The Defence, in its closing arguments, however, urged the Trial Chamber to dismiss the case and acquit the accused because the Prosecution had failed to prove its case. It argued that the Prosecution had only shown that it was far from coming close to meeting the burden to prove its case beyond a reasonable doubt in all the counts facing the accused.

Nshogoza, who was former investigator for the Defence during the trial of *Jean de Dieu Kamuhanda*, is charged on four counts with: count one and two; contempt of the Tribunal; count three and four; attempt to commit acts punishable as contempt of the Tribunal.

The accused is alleged to have committed the offences with intent to fabricate additional evidence and procure false statements for use in support of the appeal against conviction and sentence of Jean de Dieu Kamuhanda.

Léonidas Nshogoza was born in 1961 in Rukeri, Kiyumba Muhanga province in Rwanda. He voluntarily surrendered to (ICTR) at its seat in Arusha, Tanzania on Friday 8 February 2008. His trial began on 9 February 2009.

The accused is assisted by Defence Counsel Ms. Allison Turner while Mr. Richard Karegyesa is leading the Prosecution team composed of Mr. Abdoulaye Seye, Appeals Counsel and Dennis Mabura.

### Closing Arguments in Kalimanzira Case



On 20 April 2009 the Prosecution and the Defence presented their closing remarks in the case of Callixte Kalimanzira, former *Chef de Cabinet* of the Ministry of the Interior who is charged with three counts of genocide, or in the alternative complicity in

genocide, and with public incitement to commit genocide.

The Prosecution prayed for Trial Chamber III, composed of Judges Dennis Byron, presiding, Gberdao Gustave Kam and Vagn Joensen to convict the accused and sentence him to imprisonment for the remainder of his life. The Defence on its part called for his acquittal on all counts.

The Prosecution stated that it had proved beyond a reasonable doubt that Kalimanzira in a rational and calculated fashion directed others, his foot soldiers to carry out the slaughter of Tutsi civilians in Butare prefecture. *“He reduced Tutsi human beings to prey at public places such as meetings and roadblocks and incited gang members of the local population to participate in the massacre of their Tutsi neighbours”.*

*“Your Honours Kalimanzira deserves nothing less than imprisonment for the remainder of his life,”* the Prosecution said.

The Defence countered that it had shown that the witnesses for the Prosecution were not credible and therefore they should all be rejected. It added that the allegations made by the Prosecutor which are supposed to back up conviction have not been proven and called for Kalimanzira’s acquittal.

Kalimanzira, whose case began on 5 May 2008, was on 8 November 2005 taken into the ICTR custody after he surrendered to Tanzanian authorities in Arusha. On 14 November 2005 he pleaded not guilty to the charges against him when he made his initial appearance before the Tribunal. In the course of the trial, the Prosecutor called twenty four witnesses and the Defence forty three witnesses including the accused.



The Prosecution was led by Christine Graham while Counsel Arthur Vercken and Co-Counsel Anta Guissé represented the accused.

### Trial of Yussuf Munyakazi Starts

The trial of Yussuf Munyakazi, former businessman in Bugarama commune (Rwanda) opened on 22 April 2009 before Trial Chamber I of the International Criminal Tribunal for Rwanda (ICTR) composed of Judges Florence Rita Arrey Presiding, Mparany Mamy Richard Rajohnson and Aydin Sefa Akay.



In its opening statement, the Prosecution described Yussuf Munyakazi as *"a villain; the devil who stripped his victims of everything it meant to be human"*. Richard Karegyesa, for the Prosecution, added that, *"The Prosecutor shall prove in the coming weeks by direct and circumstantial evidence that Munyakazi was not a stranger to the criminal enterprise and that he executed its objectives with great efficiency, in person and in concert with other members of the criminal enterprise with whom he shared the intent to commit genocide and extermination. The evidence will show a leader in full control of events rather than a reluctant or unwilling participant by forces beyond his control"*. The Defense will make its opening remarks when it

begins its case.

The trial is taking place at the ICTR following the denial, by Trial Chamber III on 28 May 2008, of an application by the Prosecutor for referral of the case to Rwanda. On 9 October 2009 the Appeals Chamber upheld the decision. Both Chambers cited serious concerns about the rights of the accused and his getting a fair trial in Rwanda as well as the independence of its judiciary.

Yussuf Munyakazi was jointly indicted in 1997, with Emmanuel Bagambiki and Samuel Imanishimwe. In 2000, the Trial Chamber granted the severance of his case, and the indictment was subsequently amended in 2002, charging the Accused for genocide and alternatively complicity in genocide, and extermination as a crime against humanity.

The accused was arrested on 5 May 2004 in the Democratic Republic of Congo (DRC) and transferred to the UN detention facility in Arusha on 7 May 2004. During his initial appearance on 12 May 2004, Yussuf Munyakazi pleaded not guilty to charges brought against him by the Prosecutor that he participated in the 1994 Rwanda genocide.

The accused is represented by Jwani Mwaikusa (Tanzania) and Richard K. Kabimba (Congo). The Prosecution team is composed of Richard Karegyesa, Segun Jegede, Didace Nyirinkwaya & Dennis Mabura, Assistant Trial Attorney.

### Judicial Decisions of the ICTR from 1-30 April 2009

Date	Record Number	Title	TC
02/04/2009	ICTR-00-55B-0122	HATEGKIMANA - DECISION ON THE DEFENCE REQUEST FOR TRANSLATION OF PROSECUTION MOTIONS AND FOR EXTENSION OF THE TIME LIMIT TO FILE RESPONSES	TC 3
02/04/2009	ICTR-98-44-3857/1	KAREMERA ET AL - APPEL DE MATHIEU NGIRUMPATSE CONTRE LA << DECISION ON CONTINUATION OF TRIAL >> DU 3 MARS 2009	TC 3
02/04/2009	ICTR-98-44-3858/1	KAREMERA ET AL - MEMOIRE D'APPEL SUITE A LA DECISION 03 MARS 2009 RELATIVE A LA CONTINUATION DU PROCES	TC 3
02/04/2009	ICTR-98-44-3853	KAREMERA ET AL - JOSEPH NZIRORERA'S APPEAL FROM DECISION TO SEVER CASE OF MATHIEU NGIRUMPATSE	TC 3
02/04/2009	ICTR-98-44-3858/2	KAREMERA ET AL - APPEAL BRIEF FOLLOWING DECISION OF 3 MARCH 2009 ON CONTINUATION OF TRIAL	TC 3
02/04/2009	ICTR-99-54-0127	NGIRABATWARE - PROSECUTION'S RESPONSE TO DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE TC'S DECISION ON DEFENCE MOTION TO VARY TRIAL DATE RENDERED ON 25 MARCH 2009 (RULE 73 (B) OF THE RULES OF PROCEDURE AND EVIDENCE)	TC 2
03/04/2009	ICTR-00-55A-0406	MUVUNYI - DECISION ON DEFENCE MOTION FOR RECONSIDERATION ON DECISION DENYING PROVISIONAL RELEASE - RULES 64 AND 65 OF THE RULES OF PROCEDURE AND EVIDENCE	Trial Team IV
03/04/2009	ICTR-01-70-0389	RUKUNDO - CORRIGENDUM TO DECISION ON MOTIONS FOR EXTENSION OF TIME	Trial Team IV
04/04/2009	ICTR-99-54-0128	NGIRABATWARE - DEFENCE REPLY TO PROSECUTOR'S RESPONSE TO DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE TC DECISION ON DEFENCE MOTION TO VARY TRIAL DATE, RENDERED ON MARCH 25, 2009 Rule 73 (B) of the Rules of Procedure and Evidence	TC 2
06/04/2009	ICTR-00-55B-0127	HATEGKIMANA - DECISION ON THE PROSECUTION REQUESTS FOR THE VIDEO-LINK TESTIMONIES OF WITNESSES QX, BYO AND BYS	TC 3



Date	Record Number	Title	TC
06/04/2009	ICTR-00-56-1061	NDINDILYIMANA ET AL -DECISION ON THE PROSECUTION MOTION FOR LEAVE TO FILE ADDITIONAL PAGES TO CLOSING BRIEF	TC 2
07/04/2009	ICTR-00-55B-0128	HATEGEKIMANA - DECISION ON PROSECUTION'S CONFIDENTIAL, MOTION FORLEAVE TO VARY THE WITNESS LIST, FOR PROTECTIVE MEASURES FOR WITNESS BRW AND FORTIIE TESTIMOIIY OFWITNESS BRW VIA CLOSED-VIDEO LINK	TC 3
07/04/2009	ICTR-98-44-3867	KAREMERA ET AL - DECISION ON MATHIEU NGIRUMPATSE'S APPEAL AGAINST TC'S DECISION DENYING PROVISIONAL RELEASE	AC
08/04/2009	ICTR-99-54-0129	NGIRABATWARE - DECISION ON DEFENCE MOTION TO DISMISS BASED UPON DEFECTS IN AMENDED INDICTMENT	TC 2
09/04/2009	ICTR-98-44-3875/1	KAREMERA ET AL - PROSECUTOR'S CONSOLIDATED RESPONSE TO "JOSEPH NZIRORERA'S APPEAL FROM DECISION TO SEVER CASE OF MATHIEU NGIRUMPATSE", "APPEAL DE MATHIEU NGIRUMPATSE CONTRE LA "DECISION ON CONTINUATION OF TRIAL" DU 3 MARS 2009" AND EDOUARD KAREMERA'S ..	AC
09/04/2009	ICTR-98-44-3875/2	KAREMERA ET AL - REPONSE UNIQUE DU PROCUREUR AUX ECRITURES D'APPEL DE NZIRORERA, DE NGIRUMPATSE ET DE KAREMERA INTITULEESRESPECTIVEMENT "JOSEPH NZIRORERA'S APPEAL FROM DECISION TO SEVER CASE OF MATTHIEU NGIRUMPATSE", "APPEL DE MATTHIEU NGIRUMPATSE .....	AC
09/04/2009	ICTR-00-55B-0129	HATEGEKIGIMANA - DECISION ON THE PROSECUTION MOTION FOR JUDICIAL NOTICE	TC 2
09/04/2009	ICTR-96-14-0491	NIYITEGEKA - DECISION ON RECONSIDERATION OF ELIEZER NIYITEGEKA'S MOTION FOR DISCLOSURE OF CLOEZED SESSION TESTIMONY AND EVIDENCE UNDER SEAL PURSUANT TO THE AC DECISION OF 23 OCTOBER 2008 (RULE 75 OF THE RULES OF PROCEDURE AND EVIDENCE)	Trial Team IV
14/04/2009	ICTR-98-44-3878	KAREMERA ET AL - MEMOIRE EN EXTREME URGENCE POUR MATTHIEU NGIRUMPATSE SUITE A LA DECISION DE LA CHAMBRE D'APPEL DU 7 AVRIL 2009 SUR LA DEMANDE DE MISE EN LIBERTE PROVISOIRE	TC 3
14/04/2009	ICTR-98-44-3881	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO ADMIT DOCUMENTS FROM THE BAR TABLE: PUBLIC STATEMENTS AND MINUTES	TC 3
14/04/2009	ICTR-98-44-3880	KAREMERA ET AL - DECISION SUR LA REQUETE DU PROCUREUR VISANT A L'ADMISSION DE LA TOTALITE DES TRANSCRIPTIONS DU RASSEMBLEMENT DU 7 NOVEMBRE 1993 AU STADE DE NYAMIRAMBO ET DES TRADUCTIONS OFFICIELLES DE CERTAINES PIECES A CONVICTION DEJA ADMISES	TC 3
14/04/2009	ICTR-98-44-3876	KAREMERA ET AL - REPLY BRIEF: JOSEPH NZIRORERA'S APPEAL OF DECISION ON ADMISSION OF EVIDENCE REBUTTING ADJUDICATED FACTS	TC 3
15/04/2009	ICTR-00-55B-0130	HATEGEKIMANA - EXTREMELY URGENT DECISION TO RECONSIDER THE TC'S DECISION OF 6 APRIL 2009 AND TO ORDER THE TESTIMONY OF WITNESS QX TO BE TAKEN BY DEPOSITION	TC 3
15/04/2009	ICTR-07-91-0250	NSHOGOZA - DEFENCE COUNSEL REPLY TO PROSECUTION RESPONSE TO APPEAL AS OF RIGHT FROM SANCTIONS DECISIONS	AC
15/04/2009	ICTR-99-54-0132	NGIRABATWARE - DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE TC'S DECISION OF 25 MARCH 2009 ON DEFENCE MOTION TO VARY TRIAL DATE	TC 2
16/04/2009	ICTR-07-91-0252	NSHOGOZA - DECISION ON DEFENCE MOTION FOR THE TC TO TAKE JUDICIAL NOTICE OF THE VALUE OF THE RWANDAN CURRENCY	TC 3
16/04/2009	ICTR-07-91-0251	NSHOGOZA - DECISION ON DEFENCE MOTION FOR JUDICIAL NOTICE	TC 3
16/04/2009	ICTR-98-44-3883	KAREMERA ET AL - MEMOIRE COMPLEMENTAIRE EN EXTREME URGENCE POUR MATTHIEU NGIRUMPATSE SUITE A LA DECISION DE LA CHAMBRE D'APPEL DU 7 AVRIL 2009 SUR LA DEMANDE DE MISE EN LIBERTE PROVISOIRE	TC 3
16/04/2009	ICTR-07-91-0253	NSHOGOZA - DECISION ON THE DEFENCE MOTION TO MAKE PUBLIC THE TRANSCRIPTS OF 11 FEBRUARY 2008 AND THE CASE FILE IN GENERAL	TC 3



Date	Record Number	Title	TC
16/04/2009	ICTR-98-41-2328	[MILITARY I] - BAGOSORA ET AL - DECISION ON PROSECUTION MOTION REQUESTING COMPLIANCE WITH REQUIREMENTS FOR FILING NOTICES OF APPEAL	AC
16/04/2009	ICTR-98-44-3882	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO RECALL PROSECUTION WITNESSES ALG,AWD, G AND T	TC 3
17/04/2009	ICTR-97-36A-0091	MUNYAKAZI - DECISION ON PROSECUTOR'S MOTION TO VARY ITS WITNESS LIST	TC 1
17/04/2009	ICTR-97-36A-0092	MUNYAKAZI - SCHEDULING ORDER REGARDING THE COMMENCEMENT OF THE TRIAL	TC 1
20/04/2009 12:00	ICTR-98-44-3886	KAREMERA ET AL - PROSECUTOR'S RESPONSE TO MATHIEU NGIRUMPATSE'S SUPPLEMENTAL SUBMISSION FOR PROVISIONAL RELEASE IN LIGHT OF THE APPEAL CHAMBER DECISION OF 17 APRIL 2009	TC 3
21/04/2009	ICTR-01-74-0180	KARERA - DECISION RELATIVE A LA REQUETE DE L'APPELANT EN ADMISSION DE MOYENS DE PREUVE SUPPLEMENTAIRES CONFORMEMENT A L'ARTICLE 115 DU REGLEMENT	AC
22/04/2009	ICTR-96-3-1366	RUTAGANDA - DECISION ON GEORGES A.N. RUTAGANDA'S APPEAL AGAINST DECISION ON REQUEST FORCLOSED SESSION TESTIMONY AND SEALED EXHIBITS	Trial Team IV
22/04/2009	ICTR-98-44-3891	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S 21ST NOTICE OF RULE 66 VIOLATION AND MOTION FOR REMEDIAL AND PUNITIVE MEASURES: THEOPHILE URIKUMWENIMANA	TC 3
22/04/2009	ICTR-98-44-3892	KAREMERA ET AL - REPLIQUE POUR MATHIEU NGIRUMPATSE AUX REPONSES DU GREFFIER ET DU PROCUREUR A SON MEMOIRE CONSECUTIF A LA DECISION DE LA CHAMBRE D'APPEL DU 7 AVRIL 2009 SUR LA DEMANDE DE MISE EN LIBERTE PROVISOIRE	TC 3
23/04/2009	ICTR-07-91-0259	NSHOGOZA - DECISION ON ORAL MOTION FOR RECONSIDERATION OF SANCTIONS	TC 3
23/04/2009	ICTR-07-91-0258	NSHOGOZA - DECISION ON DEFENCE MOTION FOR THE ADMISSION OF TRANSCRIPTS PURSUANT TO RULE 92BIS	TC 3
23/04/2009	ICTR-96-13-0710	MUSEMA - DECISION ON MOTION FOR RECONSIDERATION OF DECISION ON REQUEST FOR ASSIGNMENT OF COUNSEL OF 27 FREBRUARY 2009	Trial Team IV
23/04/2009	ICTR-98-44-3894	KAREMERA ET AL - MEMOIRE EN REPLIQUE INTERIMAIRE DE M. NGIRUMPATSE SUR L'APPEL DE LA DECISION DE CONTINUATION DU PROCESS EN DATE DU 3 MARS 2009	AC
24/04/2009	ICTR-00-55A-0411	MUVUNYI - DECISION ON DEFENCE MOTION FOR DISMISSAL AS THE REMEDY FOR ALLEGED RULE 68 DISCLOSURE VIOLATIONS - RULE 68 OF THE RULES OF PROCEDURE AND EVIDENCE	Trial Team IV
24/04/2009	ICTR-02-78-0149	KANYARUKIGA - SCHEDULING ORDER FOLLOWING THE STATUS CONFERENCE	TC 2
24/04/2009	ICTR-96-3-1368	RUTAGANDA - ORDER REPLACING A JUDGE IN A CASE BEFORE THE AC	Trial Team IV
24/04/2009	ICTR-00-61-0031	GATETE - DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MR. RICHARD DUBE, LEAD COUNSEL FOR THE ACCUSED JEAN BAPTISTE GATETE	TC 1
24/04/2009	ICTR-00-61-0061	GATETE - DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MS. ISABELLE TEOLIS, CO-COUNSEL FOR THE ACCUSED JEAN BAPTISTE GATETE	TC 1
27/04/2009	ICTR-97-31-0253	RENZAHO - DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MR. BARNABE NEKUIE, CO-COUNSEL FOR THE ACCUSED THARCISSE RENZAHO	TC 1



Date	Record Number	Title	TC
27/04/2009	ICTR-97-36A-0093	MUNYAKAZI - DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MR. RICHARD KAZADI KABIMBA, CO-COUNSEL FOR THE ACCUSED YUSSUF MUNYAKAZI	TC 1
27/04/2009	ICTR-05-82-0048	NTAWUKULILYAYO - DECISION ON PROSECUTOR'S REQUEST FOR AN ORDER TRANSFERRING DETAINED WITNESSES PURSUANT TO RULE 90 BIS	TC 3
27/04/2009	ICTR-00-55A-0412	MUVUNYI - DECISION ON DEFENCE MOTION FOR RECONSIDERATION OF THE DECISION ADMITTING THE EXPERT EVIDENCE OF EVARISTE NTAKIRUTIMANA - RULE 75 OF THE RULES OF PROCEDURE AND EVIDENCE	Trial Team IV
28/04/2009	ICTR-07-91-0260	NSHOGOZA - DECISION ON DEFENCE MOTION FOR ORDER TO REGISTRAR TO PROVIDE INFORMATION TO THE DEFENCE REGARDING PROSECUTION VISITS TO WITNESS GAA AT UNDF	TC 3
28/04/2009	ICTR-98-44-3899/1	KAREMERA ET AL - MEMOIRE ADDITIONNEL POUR MATTHIERU NGIRUMPATSE CONSECUTIF A LA DECISION DE LA CHAMBRE D'APPEL DU 7 AVRIL 2009 SUR LA DEMANDE DE MISE EN LIBERTE PROVISOIRE	TC 3
28/04/2009	ICTR-05-82-0049	NTAWUKULILYAYO - DECISION ON DEFENCE PRELIMINARY MOTION ALLEGING DEFECTS IN THE INDICTMENT	TC 3
29/04/2009	ICTR-07-91-0262	NSHOGOZA - REGISTRAR'S SUBMISSIONS UNDER RULE 33 (B) OF THE RULES ON THE DECISION OF DEFENCE MOTION FOR ORDER TO REGISTRAR TO PROVIDE INFORMATION TO THE DEFENCE REGARDING PROSECUTION VISITS TO WITNESS GAA AT UNDF	TC 3
29/04/2009	ICTR-07-91-0264	NSHOGOZA - DECISION ON DEFENCE MOTION FOR THE ADMISSION OF WRITTEN STATEMENTS OF WITNESSES A1,A13,A14,A15,A17,A18,A20,A22,A23,A26,A28 AND A30 AS EVIDENCE IN LIEU OF ORAL TESTIMONY	TC 3
29/04/2009	ICTR-98-44-3901	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S APPLICATION FOR CERTIFICATION TO APPEAL DISCLOSURE DECISION ON WITNESS ALG	TC 3
29/04/2009	ICTR-98-44D-0027	NZABONIMANA - DECISION ON PROSECUTOR'S MOTION FOR JUDICIAL NOTICE	TC 1

## News from Kigali

- **Site visit to Rwanda in the *Ndindiliyimana et al.* case**

Between 14 and 16 April 2009, the Judges of Trial Chamber II and Chamber's Legal Officers, representatives of the Parties and Registry representative conducted a site visit to Rwanda. Sites located to Kigali, Ruhengeri and Butare/Nyaruhengeri were visited.

On Tuesday 14 April 2009, the delegation visited the Camp Kigali, RECCE headquarters, the Armoury, the



Outside the Former Residence of Prime Minister Agathe Uwilingiyimana

site where Belgium Soldiers were killed, ESM, CHK, Former Hotel Diplomat, Former Residence of Prime Minister Agathe Uwilingiyimana, Avenue Paul VI, Avenue de L'Armée, Milles Collines Junction, Radio Rwanda, Rwandatel, National Bank of Rwanda, Former Office of the President, Kacyiru Camp and Kinamba.



Judges Hikmet, De Silva and Park In Kanzi Parish, Butare

The following day, the delegation proceeded to Ruhengeri where the Hotel Muhabura and the Former Court of Appeal were visited. The delegation also visited the Mukamira Military Camp.

On 16 April 2009, the delegation proceeded to Butare and Nyaruhengeri where the Kansi Parish and accused





Ndindiliyimana's house were visited. That day also marks the end of this successful mission during which all sites were visited.

The mission was conducted following the Chamber's ruling of 9 March 2009 directing the Registry to make all necessary arrangements to visit the relevant sites from 13 to 18 April 2009.

- **South African Students Visit ICTR in Rwanda**

Thirteen law students accompanied by two officials from the Human Rights Centre of the University of Pretoria visited Rwanda from 15-24 April 2009. As part of the ongoing programme since 2002, the group was received by the staff of Umusanzu Information Centre and facilitated in their meetings with different Government and Civil Organization's Officials, where they were undertaking a research study on genocide, human rights and conflict resolution.

They were mainly interested in the work of the ICTR, the causes of the 1994 Genocide, the operation of the Rwandan judiciary, contributions of civil organizations to the reconstruction of Rwanda and the achievements in Rwanda as regards Unity and Reconciliation.

During their stay in Rwanda, they received briefings from the:

The Head of the Information Centre, Mr. Innocent Kamanzi accompanied by his Public Information Assistant, Mr. Kamuru Charles on the current status of the work of the Tribunal and matters related to the ICTR Outreach Programme in Rwanda; Vice President of the supreme court, Mr. Sam Rugege on the operation of the Rwandan judiciary prior to and after the genocide; Gacaca secretariat on the operation of traditional justice, its achievements and challenges faced by this form of local justice; Officials from the National University of Rwanda in Butare on the history of the University prior and after the genocide and its role in the reconstruction of the country; Prosecutor General's Office about the operation of the prosecutor's office and the existing cooperation between the ICTR and the Government of Rwanda; Officials from the Institute of Research and Dialogue for Peace in Rwanda; Executive Secretary of the National Unity and Reconciliation Commission, Fatuma Ndagiza, on the current situation in the country as regards Unity and Reconciliation; and the Executive Secretary the National Women Council, Mrs Christine Tuyisenge on the Objectives of the council, the role of Rwandan Women in the Political, Social and



*The students being briefed by the Executive Secretary of the National Council for Women, Mrs Christine Tuyisenge at ICTR Umusanzu Centre in Kigali*

Economic Development in the Country.

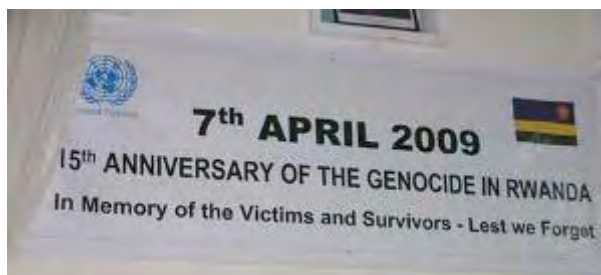
The group also visited major genocide memorial sites in the country.

## News from The Hague

- **Hearing of Testimonies of Witnesses by Video-Conference Link**

Following the Order of 4 February 2009 by Judge Erik Møse (Trial Chamber I), the ICTR Office in The Hague has organised and covered, in coordination with the relevant Sections/Units of the ICTR and the ICTY, the hearing of the testimony by video-conference link of a witness during the period of 20 to 24 April 2009.

## ICTR Remembers ...



- **Arusha Commemorates 15th Anniversary of Genocide**

On 7 April 2009, at Naura Springs Hotel, members of the local and international community living in Arusha commemorated the 15th anniversary of the Genocide against the Tutsi, an event which was organized by the Rwandan Diaspora in Arusha under the theme: **"Let's keep alive the memory of Genocide against Tutsi by fighting its revisionism and negationism"**.



*Observing a minute of silence*

Participants to the event, at which the guest of honor was the Arusha Regional Commissioner Mr. Isidore Shirima, included the ICTR President Judge Dennis Byron, the ICTR Prosecutor Justice Hassan Bubakar Jallow, the OIC Deputy Registrar Mr. Pascal Besnier, the Special Representative of the government of Rwanda to ICTR Mr. Aloys Mutabingwa, representative of the Speaker of the East African Legislative Assembly Hon. Dan Kidega, the Dean of the EAC Defense Liaison Officers Brigadier General (Dr.) Norbert Kalimba, the Vice President of the Rwanda Diaspora Global Network, Mrs. Leonie Rutanga, senior members and staff of the ICTR, the African Court on People's and Human Rights, the East African Community, the East African Business Council,



members of the Rwanda Diaspora in Arusha and members of the Arusha community.

The event began with a one-minute silence in remembrance of the genocide victims followed by lighting of a candle by the guest of honor as a symbol of hope for a brighter future.

Ms. Geraldine, Chairperson of the Rwanda Diaspora in Arusha thanked the participants for their support to the Rwandan people as they commemorated for the 15th time the tragedy that befell Rwanda in 1994. She requested all mankind to work together to avoid the recurrence of the genocide anywhere in the world and thanked all those who contributed towards making the event a success.



*Participants at the Commemoration in Arusha*

In their respective speeches, the Arusha Regional Commissioner Mr. Shirima, the ICTR Prosecutor Justice Jallow and the OIC Deputy Registrar Mr. Besnier all said that what happened in Rwanda in 1994 was tragic and occurred before the eyes of the international community. They stressed that the work of the Tribunal is primarily aimed at bringing justice to the Rwandan people so that the perpetrators of the genocide can be exemplarily punished, thus contributing to the unity and reconciliation of the whole nation.

Honorable Dan Kidega, member of the East African Legislative Assembly, on his part said that the genocide that took place in Rwanda in 1994 was a result of bad leadership. He then condemned such leadership and stressed the need for good leadership if we want to avoid atrocities such as the genocide in Rwanda.

The Special Representative of the Government of Rwanda to ICTR, Mr. Aloys Mutabingwa said that the 7th of April reminds Rwandans of 100 days during which the nation was subjected to a senseless killing when a cross section of Rwandans was targeted merely because of their ethnic background.

He underlined the fact that although the government of Rwanda has always been at the forefront in helping survivors of the 1994 genocide, the latter are still facing many challenges in improving their lives and their social welfare.

He called upon everyone to engage in the fight against genocide ideology, revisionism and negatism wherever they might be and added that the government of Rwanda and Rwandans in general will not tolerate any person harboring those vices.

In her closing statement, the Vice President of the Rwanda Diaspora Global Network, Mrs. Leonie Rutanga explained the origin and the genesis of the "Agaseke One Dollar Campaign" project which is aimed at raising funds from Rwandans living abroad and their friends in order to provide a shelter for the homeless and vulnerable orphan victims of the genocide. The project was then officially launched by the guest of honor, the Arusha Regional Commissioner.

• **ICTR Participates in Dar Genocide Memorial Event**

In efforts to raise greater awareness of the work of the Tribunal three officials from the Tribunal took part in the 15th Rwanda Genocide Memorial Commemoration in Dar es Salaam on 7 April 2009.

The delegation was composed of a representative of the Prosecutor, Mr. Richard Karegyesa and two officials from the ERSPS, Mr. Danford Mpumilwa, Associate Information Officer and Ms. Rani Dogra, Editorial Assistant.



*Lighting a candle in memory of the victims*

The ICTR set up an exhibition at the Karimjee Hall where the event was taking place and Mr. Karegyesa presented a paper updating participants on the work of the Tribunal. The ICTR took advantage of the event to talk with the local press on matters pertaining to the work of the Tribunal as a vital response by the international Community to the Rwanda genocide.

The well attended event took place at the Karimjee Hall on 7 April 2009 beginning 15:00 hrs. It was attended by senior Government and NGO officials, diplomats, academicians, students and members of the public.



*Observing a minute of silence*



At the ICTR exhibition in the lobby area at the main entrance to the hall there was a display of posters, and hundreds of pamphlets, brochures and leaflets in ICTR folders were distributed.

During the ICTR presentation, Mr. Karegesya briefed the participants on the latest developments at the ICTR and the role the Tribunal was playing in the promotion of international criminal justice and international law.



*Contributing to the "One Dollar" Campaign*

The guest of honour, Ambassador Francis Malambu, the Acting Permanent Secretary to the Ministry of Foreign Affairs and International Co-operation reiterated Tanzania's commitment to the promotion and maintenance of peace and rule of law in the region. Other speakers at the event included a representative of the UN Resident Coordinator in Dar es Salaam Mr. Yacoub El Hillo and the Rwanda Ambassador to Tanzania HE. Zeno Mutimura.

- **ICTR Holds Exhibition at the International Genocide Symposium In Rwanda**

The United Nations International Criminal Tribunal for Rwanda (UNICTR) in collaboration with the Rwandan Commission for the Fight against Genocide, from 4 -6 April 2009 held an exhibition at Hotel Serena, Kigali during the International Symposium on the Genocide against the Tutsis in Rwanda in 1994.

*With the theme "15 years after the Genocide against the Tutsi in Rwanda, Stakes, Challenges and Future Prospects"* the Symposium was part of the major activities organized by the Rwandan Government to mark the 15<sup>th</sup> anniversary of the 1994 Genocide in Rwanda.

The ICTR Exhibition was conducted by the staff of the Tribunal's Information and Documentation Centre based in Kigali, the "Umusanzu mu Bwiyunge Center". It was characterized by posters with information and



*Prof. Romain Murenzi, Rwanda's Minister of Science and Information Technology (left) and staff of Umusanzu*

pictures on lessons learnt from the Rwandan Genocide, its causes and how to fight its ideology, various ICTR publications including brochures, pamphlets, postcards, books, ICTR newsletters, judgments and other information materials. Various ICTR documentaries were also screened daily during the symposium.

The symposium attracted speakers from different parts of the world ranging from Rwanda, other African countries, Europe, Canada and the USA. The main topics discussed included: Genocide against Tutsi: preparation and execution; Preventing and Curbing the Genocide Ideology; Negationism and Revisionism; Reparations and post genocide reconstruction in Rwanda and memory of the Genocide against Tutsi. A presentation was also made by one of the speakers, Prof. Martin Mannecke on "the International Criminal Tribunal for Rwanda *vis-à-vis* the 1994 genocide in Rwanda " where he praised the achievements made by the Tribunal like the Institution being the first International Tribunal to try a Head of Government: the former Prime Minister in the Genocidal regime, Jean Kambanda.

This International Symposium, attended by various participants including Government Ministers and Senior Officials, foreign scholars, Researchers, Academic Professionals, Military Officers and other dignitaries, was officially closed by President Paul Kagame of Rwanda.

- **ICTR at the Hague Attend Genocide Commemoration**

The Head of the ICTR office in The Hague, Mr. Koffi Kumelio A. Afandé, represented the ICTR on 9 April 2009 on the occasion of the 15<sup>th</sup> remembrance of the victims of the 1994 Rwanda genocide commemorated in the presence of His Excellency Jean-Pierre Bizimana, Ambassador of Rwanda.