



ICTR Newsletter

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United Nations International Criminal Tribunal for Rwanda

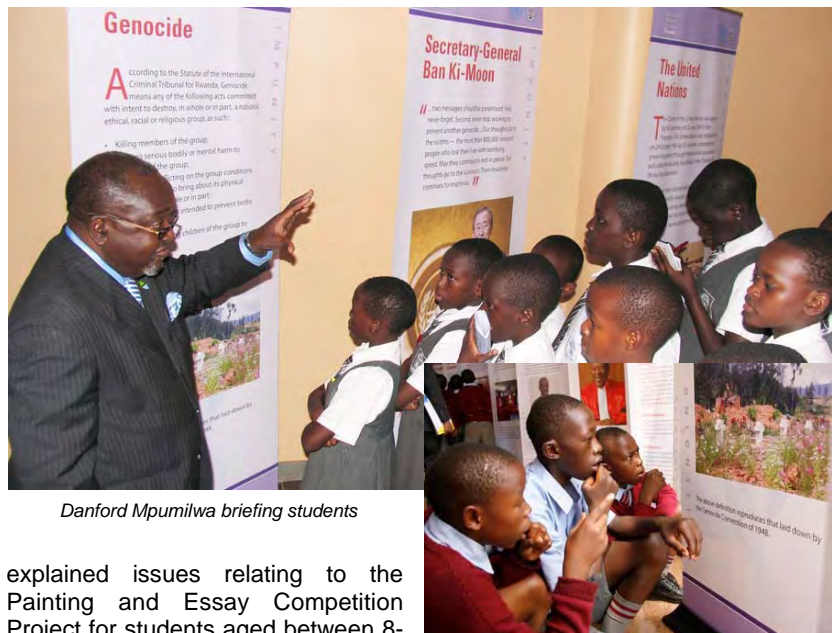
February 2010

Tribunal's Youth Sensitization Project Enters Second Phase

Implementation of the Youth Sensitization Project in the five East African countries entered the second phase, between Monday 15 February and Friday 26 February 2010, when the UN International Criminal Tribunal for Rwanda held special Exhibitions on the work of the Tribunal and the Project in Nairobi, Kenya and Kampala, Uganda. The exhibitions brought together hundreds of pupils and students from Primary and Secondary schools in the two countries.

In Nairobi, the exhibition took place at the Kenya Institute of Education (KIE) from 15-19 February while in Kampala it took place from 23-26 February 2010 at the Triangle Hotel. Similar events are scheduled to take place in Bujumbura, Burundi; Kigali, Rwanda, Dar es Salaam and Arusha in Tanzania in March and April 2010.

The two Exhibitions, apart from highlighting the work of the Tribunal since its inception in 1994, its achievements and legacy, also



Danford Mpumilwa briefing students

explained issues relating to the Painting and Essay Competition Project for students aged between 8-16 years from nine Primary and Six Secondary Schools in Nairobi; and five Primary and five Secondary Schools in Kampala. In addition to the briefings and viewing the ICTR exhibition, the participants were handed booklets, pamphlets, leaflets and films of the Tribunal.

Manning the exhibitions were senior officials from the Tribunal led by Mr. Roland Amoussouga, Chief of External Relations and Strategic Planning Section and ICTR Spokesperson, Mr. Bocar Sy, Chief of Communication Cluster and Mr. Danford Mpumilwa, Associate Information Officer.

Participating secondary schools from Nairobi are; Jamhuri, St. Georges, Nairobi High, Strathmore, Kenya High and Riara Girls. Primary schools are Kenyatta University, Utawala, Bidii, Makini, Olympic, Riara Springs, Westlands, Strathmore and St. Georges. Those from Kampala are Mengo, Naalya, Nabisunga Girls, St. Mary's College and Makerere College Secondary schools and Buganda Road, Kampala Parents, Kitebi, St. Peters

and Sir Appolo Kagwa primary schools.

The Project, financed by the German Government, involves the participation of the pupils and students from Kenya, Uganda, Burundi, Rwanda and Tanzania in a Painting (primary) and Essay (secondary) Competition. The Project aims at sensitizing the youth in the region on "The Role of the Tribunal in Promoting International Justice". Entries will basically consist of answers to questions such as; what is International Justice; what is the Contribution of the Tribunal to National Reconciliation; and How Does the Tribunal fight Impunity.

It is hoped that the Project will sensitize the youth in the region on "The Role of the Tribunal in Promoting International Justice". The Competition is part of the Tribunal's Educational and Outreach campaign to raise awareness of the youth in the region in the global fight against the culture of impunity, following the tragic events which led to genocide in Rwanda in 1994.

Contents

ICTR Judicial Activities	2
Decisions of the ICTR	5
Tanzania Chief Justice Meets the Registrar	7
Audio-Visual Digitation & Redaction Project	7
ICTR Walks for the Fitness	8

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ICTR Judicial Activities

- **Grégoire Ndahimana pleads not guilty during his further appearance**

Grégoire Ndahimana, former mayor of Kivumu, Kibuye prefecture in Rwanda, on 9 February 2010 pleaded not guilty to all charges during his further appearance before Judge Dennis Byron, Presiding, Vagn Joensen and Aydin Sefa Akay. In the amended indictment of 5 February 2010, he is charged with three counts of genocide, or complicity in genocide and crimes against humanity for extermination.



According to the indictment, between 6 April 1994 and 20 April 1994, Grégoire Ndahimana was responsible for killing or causing serious bodily or mental harm to members of the Tutsi population. He is alleged to have planned the massacres at the Nyange Parish, jointly with Father Athanase Seromba (sentenced to life imprisonment) and Fulgence Kayishema (still at large). In these massacres, more than 2000 Tutsi refugees were killed.

In the first indictment, he was charged with four counts of genocide; or in the alternative, complicity in genocide; conspiracy to commit genocide, and extermination as a crime against humanity. During his initial appearance on 28 September 2009 he pleaded not guilty to all the charges.

Ndahimana, born in 1952, was arrested on 10 August 2009 at Kachuga Camp in North Kivu, Democratic Republic of Congo (DRC) during a combined operation by the ICTR, the United Nations Mission in the DRC (MONUC) and the DRC law enforcement agencies. He was transferred to the United Nations Detention Facility in Arusha on 21 September 2009.

- **Ephrem Setako Sentenced to 25 Years of Imprisonment**



The International Criminal Tribunal for Rwanda sentenced Lieutenant Colonel Ephrem Setako, head of the division of legal affairs in the Ministry of Defence in 1994, to 25 years of imprisonment on 25 February 2010. He was found guilty of genocide, crimes against humanity (extermination) and serious violations of Article 3 common to the Geneva Conventions and Additional Protocol II (murder), but acquitted of complicity to commit genocide, murder as a crime against humanity and pillage as a war crime.

The Chamber found that Setako ordered the killings on 25 April 1994 of 30 to 40 Tutsis at Mukamira military camp in Ruhengeri prefecture and around 10 other Tutsis there on 11 May 1994.

Setako was arrested on 25 February 2004 in The Netherlands and transferred to the United Nations Detention Facility on 17 November 2004. The trial opened on 25 August 2008 and closed on 26 June 2009, after 60 trial days. The Prosecution presented 21 witnesses and the Defence 34, including Setako. Closing arguments were heard on 5 and 6 November 2009.

The Prosecution team was led by Ms. Ifeoma Ojemeni Okali and included Mr. Simba Mawere and Ms. Christiana Fomenky. Setako was represented by Professor Lennox Hinds (United States), assisted by Mr. Cainnech Lussiaà-Berdou (Canada). The case was heard by Trial Chamber I, composed of Judges Erik Møse (Norway), presiding, Sergei Alekseevich Egorov (Russian Federation) and Florence Rita Arrey (Cameroon).

- **Muvunyi Sentenced to 15 Years After Retrial**

Trial Chamber III of the International Criminal Tribunal for Rwanda, composed of Judges Dennis C.M. Byron, presiding, Gberdao Gustave Kam, and Vagn Joensen, on 11 February 2010 found Tharcisse Muvunyi guilty of direct and public incitement to commit genocide after his retrial and sentenced him to 15 years of imprisonment. The Chamber ordered that Muvunyi would remain in the custody of the Tribunal pending transfer to the State where he will serve his sentence. Muvunyi will receive credit for his time served since he was arrested in the United Kingdom on 5 February 2000.



Muvunyi was convicted by Trial Chamber II of this Tribunal on 12 September 2006 for several acts of genocide, direct and public incitement to commit genocide, and other inhumane acts and sentenced to 25 years imprisonment. On 29 August 2008, the Appeals Chamber set aside all convictions and the sentence, but ordered a retrial of one allegation of direct and public incitement to commit genocide concerning Muvunyi's speech at the Gikore Center in Nyaruhengeri *commune*, Butare *préfecture*, in May 1994.

Muvunyi's retrial commenced on 17 June 2009. The Prosecution closed its case on 22 June 2009, after calling 6 witnesses and tendering 21 exhibits. The Defence commenced its case on 24 August and closed on 17 September 2009, after calling 7 witnesses and tendering 11 exhibits.

Muvunyi was born on 19 August 1953, in Mukarange *commune*, Byumba *préfecture*. He is a soldier by profession. In 1994, Muvunyi was a Lieutenant Colonel in the Rwandan army and was stationed at the *École des Sous-Officiers* in Butare *préfecture*.

Muvunyi was arrested in the United Kingdom on 5



February 2000 and transferred to the United Nations Detention Facility in Arusha on 30 October 2000.

He was assisted by Counsel William E. Taylor III and Abbe Jolles, both from the United States of America while the Prosecution was composed of Richard Karegyesa Senior Trial Attorney OIC Prosecution and Charles Adeogun-Phillips, Senior Trial Attorney.

Work of the Trial Chambers and the Appeals Chamber in February 2010

1. Trial Chamber I

Cases where Judgement was delivered

Setako

On 25 February 2010, Trial Chamber I, composed of Judges Møse, presiding, Egorov and Arrey, delivered judgement. Ephraim Setako was found guilty of genocide, crimes against humanity (extermination) and serious violations of Article 3 common to the Geneva Conventions and Additional Protocol II (murder), but acquitted of complicity to commit genocide, murder as a crime against humanity and pillage as a war crime. He was sentenced to 25 years' imprisonment.

The trial opened on 25 August 2008 and closed on 26 June 2009, after 60 trial days. The Prosecution presented 21 witnesses and the Defence 34, including Setako. Closing arguments were heard on 5 and 6 November 2009.

Cases in Judgement Drafting Phase

Munyakazi

The oral closing arguments of the parties were heard on 28 January. The Chamber is now drafting the judgement.

2. Trial Chamber II

Ongoing Trials

Kanyarukiga

The trial in this case commenced on 31 August 2009. After calling eleven witnesses over fourteen trial days, the Prosecution closed its case on 17 September 2009.

The Defence presented its case from 18 January to 12 February 2010 and called 23 witnesses. During February 2010, the Chamber issued four written and four oral decisions, including on a Defence Motion for certification to appeal the Trial Chamber's decision on exclusion of evidence and on a Prosecution request for a site visit.

Ngirabatware

The Prosecution has continued presenting its case since 25 January 2010. The Trial Chamber heard five witnesses in the course of February and rendered four written decisions and one formal oral decision on submissions made by the parties in court. The Prosecution expects to close its case in the month of March after having heard six more witnesses. There is

one pending Defence motion on which the Chamber expects to rule shortly.

Cases awaiting Closing Arguments

Hategekimana

Both parties filed their closing briefs on 10 February 2010. On 16 February 2010, the Chamber ordered the Prosecution to review and redact both its closing brief and its pre-trial brief to remove any identifying information that could compromise the security of certain witnesses, and to submit the redacted documents to the Chamber for compliance review by 04 March 2010. Both Prosecution documents were reclassified as strictly confidential documents and removed from public access until further order by the Chamber. The closing arguments are presently scheduled for 08 April 2010. The Chamber issued one order in February 2010.

Trials in Judgement Drafting Phase

Nyiramasuhuko et al. ("Butare")

The Chamber is involved in deliberations and judgement drafting. The Chamber is also deliberating on Defence motions for transmission of an *amicus curiae* report.

Nidiliyimana et al. ("Military II")

Judgement drafting is in progress. The Chamber rendered one decision in February regarding the recanting of Prosecution Witness GFR.

Bizimungu et al.

Judgement drafting in the case is ongoing.

3. Trial Chamber III

Trials where Judgement has been delivered

Muvunyi (Re-trial)

On 11 February, Trial Chamber III (Judges Byron, presiding, Kam, and Joensen) found Tharcisse Muvunyi guilty of direct and public incitement to commit genocide after his retrial and sentenced him to 15 years of imprisonment. The Chamber ordered that Muvunyi would remain in the custody of the Tribunal pending transfer to the State where he will serve his sentence. Muvunyi will receive credit for his time served since he was arrested in the United Kingdom on 5 February 2000.

Muvunyi was convicted by Trial Chamber II of this Tribunal on 12 September 2006 for several acts of genocide, direct and public incitement to commit genocide, and other inhumane acts and sentenced to 25 years imprisonment. On 29 August 2008, the Appeals Chamber set aside all convictions and the sentence, but ordered a retrial of one allegation of direct and public incitement to commit genocide concerning Muvunyi's speech at the Gikore Center in Nyaruhengeri *commune*, Butare *préfecture*, in May 1994.

Muvunyi's retrial commenced on 17 June 2009. The Prosecution closed its case on 22 June 2009, after calling six witnesses. The Defence commenced its



case on 24 August and closed on 17 September 2009, after calling seven witnesses.

Cases awaiting Closing Arguments

Ntawukuliyayo

The Defence case closed on 17 December 2010 and the Chamber has been continuing with judgment drafting preparations. During the month of February 2010, the Chamber issued three decisions, namely (i) granting an accused person in another case before the Tribunal access to closed session materials, (ii) granting the Defence an extension of time for the filing of its Closing Brief, and (iii) denying the Prosecution an extension of time for the filing of its Closing Brief. The Prosecution Closing Brief was filed on 25 February 2010, and the Defence Closing Brief is scheduled to be filed on 25 March 2010.

Ongoing trials

Karemera et al.:

The Chamber continues to hear the defence of Joseph Nzirorera. During the month of February, the Chamber rendered seven decisions.

Gatete

The Pre-Defence Brief was filed on 29 January 2010 and included the particulars and summaries of the testimonies of the 56 witnesses the Defence intended to call. Following an order from the Trial Chamber, the Defence subsequently filed a revised list with 36 witnesses. In February 2010, the Chamber rendered two scheduling orders and one decision on the transfer of detained witnesses. It also held a status conference to determine the state of readiness of the Parties and to resolve any outstanding issues before the commencement of the Defence case, which opens on 2 March 2010.

Nzabonimana

The Prosecution case adjourned on 17 December 2009 to allow Judges of the bench to sit in another trial. The last Prosecution witnesses will be heard on 29 March. The Defence case is scheduled to start immediately after the close of the Prosecution case. The Trial Chamber issued one decision in February.

Trial to commence in 2010

Ndahimana:

Following the decision of the Chamber to grant the Prosecution leave to amend the indictment, a Further Appearance took place on . The accused pleaded "not guilty" to all counts.

Nizeyimana:

Following the decision of the Chamber to grant the Prosecution leave to amend the indictment, a Further Appearance of the Accused will take place on 5 March.

Appeals Chamber

The Appeals Chamber is seized of 12 matters, including seven cases involving appeals from judgement.

In the *Bikindi* case, where the notices of appeal were filed on 31 December 2008, the case was heard on 30 September 2009 and the Appeal Judgement will be

delivered in Arusha on 18 March 2010.

In the *Nchamihigo* case, the appellant filed his notice of appeal on 6 March 2009. The case was heard on 29 September 2009 and the Appeal Judgement will be delivered in Arusha on 18 March 2010.

The *Bagosora et al.* Trial Judgement was pronounced on 18 December 2008 and issued in writing on 9 February 2009. Following an extension of time pending receipt of the French translation of the Trial Judgement, on 9 December 2009, Theoneste Bagosora filed his notice of appeal on 8 January 2010. Aloys Ntabakuze and Anatole Nsengiumva filed their notices of appeal in March 2009. Anatole Nsengiumva filed his appeal brief on 1 February 2010. The briefing in respect of Aloys Ntabakuze's appeal is completed.

In the *Rukundo* case, in which the Trial Judgement was rendered on 27 February 2009 and issued in writing on 13 March 2009, the prosecution filed its notice of appeal on 14 April 2009 and, following an extension of time pending receipt of the French translation of the Trial Judgement, Emmanuel Rukundo filed his notice of appeal on 6 November 2009. He filed his appeal brief on 19 January 2010. The briefing in respect of the prosecution's appeal is completed.

In the *Kalimanzira* case, in which the Trial Judgement was rendered on 22 June 2009, both Callixte Kalimanzira and the prosecution filed notices of appeal in July 2009. Following an extension of time pending receipt of the French translation of the Trial Judgement, Callixte Kalimanzira filed his appeal brief on 1 February 2010. The briefing in respect of the prosecution's appeal is completed.

In the *Renzaho* case, in which the Trial Judgement was rendered on 14 July 2009, Tharcisse Renzaho filed his notice of appeal on 2 October 2009 and was granted an extension of time to file his appeal brief within 40 days of the service of the French translation of the Trial Judgement (21 January 2010).

The Trial Judgement in the *Nshogoza* case was rendered on 2 July 2009. Leonidas Nshogoza appealed his contempt conviction and the briefing was completed on 24 August 2009. Deliberations on this matter are proceeding.

The Trial Judgement in the *Nsengimana* case was pronounced on 17 November 2009 and issued in writing on 18 January 2010. On 17 February 2010, the prosecution indicated that it did not intend to appeal Nsengimana's acquittal. The prosecution is, however, appealing against a decision of the Trial Chamber not to prosecute certain members of the defence team for contempt.

In addition to these appeals, the Appeals Chamber is seized of 2 interlocutory appeals in the *Karemera et al.* and *Kanyarukiga* cases as well as post-appeal requests in the *Kamuhanda*, *Rutaganda*, and *Niyitegeka* cases.

In February, the Appeals Chamber rendered three decisions on interlocutory appeals, one decision concerning a post-appeal matter, and 12 preliminary decisions or orders.



Decisions of the ICTR between 1-28 February 2010

Date	Record Number	Title	TC
01/02/2010	ICTR-02-78-0283	KANYARUKIGA - REPLY TO PROSECUTOR'S RESPONSE TO MOTION FOR CERTIFICATION TO APPEAL THE CHAMBER'S 15 JANUARY 2010 DECISION ON EXCLUSION OF EVIDENCE	TC 2
01/02/2010	ICTR-00-61-0169	NSENGIYUMVA - NSENGIYUMVA'S THIRD AMENDED NOTICE OF APPEAL PURSUANT TO AC DECISION OF 28 JANUARY 2010	AC
01/02/2010	ICTR-98-41-2408	NSENGIYUMVA - NSENGIYUMVA'S THIRD AMENDED NOTICE OF APPEAL PURSUANT TO AC DECISION OF 28 JANUARY 2010	AC
03/02/2010	ICTR-99-54-0286	NGIRABATWARE - PROSECUTOR'S RESPONSE TO DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE TRIAL CHAMBER'S DECISION ON PROSECUTION MOTION FOR LEAVE TO VARY ITS WITNESS LIST	TC 2
03/02/2010	ICTR-02-78-0284	KANYARUKIGA - DECISION ON THE DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE CHAMBER'S DECISION ON VIDEO-LINK TESTIMONY RULE 73 (B) OF THE RULES OF PROCEDURE AND EVIDENCE	TC 2
03/02/2010	ICTR-98-44D-0164	NZABONIMANA - DECISION RELATIVE A LA SAISINE DU PRESIDENT PAR LA CHAMBRE DE PREMIERE INSTANCE DE LA QUESTION DE LA COOPERATION DE LA FRANCE AVEC LE TRIBUNAL, EN APPLICATION DE L'ARTICLE 54 DU REGLEMENT	TC 3
03/02/2010	ICTR-01-68-0027	NDAHIMANA - DECISION ON PROSECUTOR'S REQUEST FOR LEAVE TO FILE AN AMENDED INDICTMENT (RULE 50 OF THE RULES OF PROCEDURE AND EVIDENCE)	Trial Team IV
03/02/2010	ICTR-98-44D-0156	NZABONIMANA - DECISION ON REFERRAL BY TC OF THE MATTER OF FRENCH COOPERATION WITH THE TRIBUNAL TO THE PRESIDENT PURSUANT TO RULE 54	TC 3
04/02/2010	ICTR-98-44-4300	KAREMERA ET AL - DECISION SUR LA REQUETE DE MATTHIEU NGIRUMPATSE EN CERTIFICATION D'APPEL CONTRE LA DECISION CONSOLIDEE DU 4 DECEMBER 2009	TC 3
04/02/2010	ICTR-98-44-4301	KAREMERA ET AL - DECISION SUITE AU MEMOIRE DE MATTHIEU NGIRUMPATSE DU 25 JANVIER 2010	TC 3
04/02/2010	ICTR-98-44-4298	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO ADMIT STATEMENT OF GRATIEN KABILIGI	TC 3
04/02/2010	ICTR-05-82-0117	NTAWUKILILYAYO - DECISION ON THE PROSECUTOR'S CONFIDENTIAL MOTION REQUESTING CALLIXTE KALIMANZIRA'S "REPLIQUE DE LA DEFENSE DE MONSIEUR CALLIXTE KALIMANZIRA A LA REPOSE DU PROCUREUR A LA REQUETE ET TRANSMISSION DES COMPTES RENDU D'AUDIENCE A HUIS CLOS..	TC 3
08/02/2010	ICTR-99-54-0288	NGIRABATWARE - DEFENCE REPLY TO PROSECUTOR'S RESPONSE TO DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE TRIAL CHAMBER'S DECISION ON PROSECUTION MOTION FOR LEAVE TO VARY ITS WITNESS LIST	TC 2
09/02/2010	ICTR-98-44-4309	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S APPLICATION FOR CERTIFICATION TO APPEAL DECISION ON 27TH RULE 66 VIOLATION	TC 3
09/02/2010	ICTR-02-78-0289	KANYARUKIGA - DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE TRIAL CHAMBER'S 15 JANUARY 2010 DECISION ON STAY OF PROCEEDINGS OR EXCLUSION OF EVIDENCE (Rule 73(B) of RPE)	TC 2
09/02/2010	ICTR-98-44D-0160	NZABONIMANA - DECISION ON CALLIXTE NZABONIMANA'S MOTION FOR LEAVE TO APPEAL AN ALLEGED ULTRA VIRES REFERRAL TO THE PRESIDENT	AC
09/02/2010	ICTR-99-54-0290	NGIRABATWARE - DECISION ON DEFENCE URGENT MOTION FOR WITNESS PROTECTIVE MEASURES	TC 2
10/02/2010	ICTR-00-56-0103	NDINDILYIMANA ET AL - DECISION ON WITNESS GFR'S RECANTATION OF HIS EVIDENCE	TC 2
11/02/2010	ICTR-05-82-0119	NTAWUKILILYAYO - DECISION ON DEFENCE MOTION FOR AN EXTENSION OF TIME FOR THE FILING OF ITS CLOSING BRIEF	TC 3
11/02/2010	ICTR-00-56-0137	NDINDILYIMANA ET AL - CORRIGENDUM TO DECISION ON WITNESS GFR'S RECANTATION OF HIS EVIDENCE	TC 2
15/02/2010	ICTR-98-44-4313	KAREMERA ET AL - JOSEPH NZIRORERA'S APPEAL FROM DECISION ON 27TH RULE 66 VIOLATION	TC 3



Date	Record Number	Title	TC
15/02/2010	ICTR-98-44-4318	KAREMERA ET AL - DECISION ON PROSECUTOR'S MOTION FOR RECONSIDERATION OF TC 111 DECISION OF 11 NOVEMBER 2009 NOT TO ADMIT INTO EVIDENCE 1-P-048	TC 3
16/02/2010	ICTR-98-44-4324	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S AND THE PROSECUTOR'S APPEALS OF DECISION NOT TO PROSECUTE WITNESS BTH FOR ALSE TESTIMONY	TC 3
16/02/2010	ICTR-99-54-0293	NGIRABATWARE - DECISION ON PROSECUTION MOTION FOR AN ORDER TO COMPEL THE ACCUSED TO DISCLOSE PARTICULARS OF HIS ALIBI	TC 2
16/02/2010	ICTR-02-78-0291	KANYARUKIGA - ORDER EXTRACTING WITNESS TESTIMONY	TC 2
16/02/2010	ICTR-02-78-0290	KANYARUKIGA - APPEAL OF THE 15 JANUARY 2010 TC II "DECISION ON DEFENCE MOTION FOR A STAY OF PROCEEDINGS, OR EXCLUSION OF EVIDENCE OUTSIDE THE SCOPE OF THE INDICTMENT	AC
17/02/2010	ICTR-98-44D-0167	NZABONIMANA - PROSECUTOR'S RESPONSE TO NZABONIMANA'S EXTREMELY URGENT MOTION FOR RECONSIDERATION OF THE DECISION ON NZABONIMANA'S MOTION FOR STAY OF PROCEEDINGS, RECONSIDERATION AND/ OR CERTIFICATION OF THE DECISION RENDERED 29 OCTOBER 2009; AND ...	TC 3
18/02/2010	ICTR-01-70-0406	RUKUNDO: DECISION ON GEORGES A.N. RUTAGANDA'S MOTION FOR ACCESS TO CONFIDENTIAL MATERIAL OF WITNESS CSH FROM THE RUKUNDO FILE	AC
18/02/2010	ICTR-96-3-0329	RUTAGANDA: DECISION ON GEORGES A.N. RUTAGANDA'S MOTION FOR ACCESS TO CONFIDENTIAL MATERIAL OF WITNESS CSH FROM THE RUKUNDO CASE	AC
18/02/2010	ICTR-98-44D-0169	NZABONIMANA - DECISION ON URGENT DEFENCE MOTION FOR PROTECTIVE MEASURES	TC 3
19/02/2010	ICTR-02-78-0294	KANYARUKIGA - DECISION ON KANYARUKIGA'S INTERLOCUTORY APPEAL OF DECISION ON DISCLOSURE AND RETURN OF EXCULPATORY DOCUMENTS	AC
19/02/2010	ICTR-05-82-0122	NTAWUKULILYAYO - DECISION ON PROSECUTION MOTION FOR EQUALITY OF ARMS FOLLOWING THE TRIAL CHAMBER'S DECISION ON THE DEFENCE MOTION FOR AN EXTENSION OF TIME FOR THE FILING OF ITS CLOSING BRIEF	TC 3
22/02/2010	ICTR-99-54-0296	NGIRABATWARE - DECISION ON THE PROSECUTOR'S URGENT REQUEST FOR AN ORDER TRANSFERRING DETAINED WITNESSES PURSUANT TO RULE 90bis	TC 2
22/02/2010	ICTR-99-54-0295	NGIRABATWARE - DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE DECISION ON VARIATION OF PROSECUTION WITNESS LIST	TC 2
22/02/2010	ICTR-98-44-4327	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO SUBPOENA PAUL RUSESABAGINA	TC 3
23/02/2010	ICTR-98-44-4333	KAREMERA ET AL - DECISION SUR LA REQUETE DE MATHIEU NGIRUMPATSE EN RECONSIDERATION DE LA DECISION DU 4 DECEMBRE 2009	TC 3
23/02/2010	ICTR-96-3-0330	RUTAGANDA - DECISION ON MOTION FOR LEAVE TO EXCEED THE WORD LIMIT	Trial Team IV
23/02/2010	ICTR-00-61-0187	GATETE - DECISION ON DEFENCE MOTION FOR THE TRANSFER OF DETAINED WITNESSES PURSUANT TO RULE 90BIS	TC 3
25/02/2010	ICTR-02-78-0297	KANYARUKIGA - THE RESPONDENT'S RESPONSE TO THE DEFENCE APPEAL OF THE 15 JANUARY 2010 TC II "DECISION ON DEFENCE MOTION FOR A STAY OF PROCEEDINGS, OR EXCLUSION OF EVIDENCE OUTSIDE THE SCOPE OF THE INDICTMENT"	TC 2
25/02/2010	ICTR-00-55C-0010	NIZEYIMANA - DECISION ON PROSECUTOR'S REQUEST FOR LEAVE TO FILE AN AMENDED INDICTMENT	TC 3
26/02/2010	ICTR-97-31-0274	RENZAHO - DECISION ON MOTION FOR DISCLOSURE AND FOR EXTENSION OF TIME FOR THE FILING OF APPELLANT'S BRIEF	AC



The Chief Justice of the Republic of Tanzania meets the Registrar of the ICTR



Mr. Dieng with Chief Justice Ramdhani

The Chief Justice of the Court of Appeal of the Republic of Tanzania, Chief Justice Augustino Ramadhani held discussions on Wednesday, 24 February 2010 with the Registrar of the ICTR, Mr. Adama Dieng. The meeting took place at the Court of Appeal in Dar es Salaam. Discussions centered on the ways and means of continuing the partnership and cooperation between the two institutions wherein the ICTR provides support and assistance to the Tanzania Judiciary's projects aimed at improving the ability of the Judiciary in rendering justice.

This partnership and cooperation with the Tanzania Judiciary is one in a series the ICTR has with interested Judiciary within the region, whereby the ICTR assist judicial reform by transferring technical know-how and best practices it has developed to assist receptive judiciaries in their quest to reform their judicial system and improve their ability to render justice.

At the end of the meeting, there was renewed commitment as the Chief Justice reiterated the interest of the Court of Appeal to emulate the best practices of the ICTR and Mr. Dieng, ICTR's desire to continue assisting receptive judiciaries improve ability to render justice. It was agreed the partnership should be institutionalized with the signing of a Memorandum of Understanding.

Mr. Dieng later paid a courtesy visit to the offices of Investment Climate Facility (ICF) for Africa, an organization that sponsors the judicial reforms in receptive countries across Africa. During this courtesy visit, Mr. Dieng held discussions with Directors and Project Managers of the ICF.

The Audio-Visual Digitization and Redaction Project of the ICTR

This is a follow-up to an article on the Audio-Visual Project which appeared in the March 2009 edition of the ICTR newsletter

Since 1996, audio-visual recordings have been produced of all trial proceedings of the ICTR. By the end of the ICTR's mandate, it is anticipated that approximately 40,000 hours of audio-visual recordings will have been generated, including approximately 10,000 hours of master audio material and 30,000 hours of master video material. In order to meet the two primary objectives of preservation and enhanced accessibility, the Court Management Section (CMS) has embarked on a project to digitize and redact this unique audio-visual material.

Both audio and video tape is prone to physical deterioration over time. The generation of preservation-quality digital files will ensure the long-term viability of the information contained on the audio-visual recordings of the trial proceedings, which forms a vital component of the ICTR's legacy. Digitization as a preservation strategy involves converting the audio-visual signal contained on the original physical carriers to high-resolution digital files, and storing these files on archival digital media. The total amount of digital storage required for the audio-visual material of the ICTR is estimated to be approximately one petabyte.

The audio-visual recordings of the trial proceedings include testimony of protected witnesses. In order to ensure safety of these individuals, all audio-visual material will be redacted before it is made available to the general public. This involves carefully reviewing all testimony, removing all confidential information using audio editing software, and generating a redacted version of the audio-visual material. Both high-resolution archival files and low-resolution browsing files will be generated of all redacted audio-visual material. Generating the high-resolution redacted files will ensure the preservation of this material; these files can also be made available to news agencies, broadcasters, filmmakers and other industry professionals. The low-resolution browsing copies can quickly and easily be made available to researchers, academics, legal professionals, and members of the general public interested in learning more about the work of the ICTR.



The SAMMA robot

In the first several months of 2010, several major milestones in the audio-visual digitization and redaction project will have been met.

By the end of March 2010, all master audio material will have been digitized. The conversion of 10,000 hours of audio material to digital files was implemented in mid-2008, and has been conducted in-house by the audio-visual project staff members. The methodology for digitizing the audio material is in compliance with archival best-practice principles, with a very high degree of care devoted to workflow and asset management. The diligence, meticulousness and commitment of the audio-visual project staff members have ensured the successful completion of this phase of the project.



Audio Redaction Unit

Because the digitization of the master video material is a more technically complex process than the digitization of the audio material, the ICTR has entered into a contract with a service provider to oversee the digitization of the video recordings. Front Porch Digital (FPD) is a global leader in the migration and preservation of video tape to digital files, and is dedicated to developing technical solutions for the preservation, access and management of digital content. FPD will bring two SAMMA robots to Arusha to undertake the digitization of the ICTR's original video tapes. The SAMMA robot is an automated video tape ingest system which can support the digitization of up to seven video tapes simultaneously. Combined, the two robots will allow for the migration of up to 2,000 hours of content every week. The testing and logistics phase of the video digitization is now underway. The ICTR's project manager from FPD conducted the initial site visit to the ICTR in January 2010, and ICTR and FPD have been working in close collaboration to prepare for the implementation of the digitization of the video material, scheduled to commence in May 2010. According to the project schedule, all video material will have been digitized by the end of December 2010. (insert photo)

In addition to the accomplishments achieved in the digitization of the master audio-visual material, the redaction phase of the project is also progressing at a steady pace. The first redacted audio file was generated in February 2010, the audio-visual project staff are currently reviewing and editing the audio files from the Kayishema and Bikindi cases, and the redaction of several other cases is scheduled to commence in March 2010. The redaction process is quite complex, and requires excellent analytical and technical skills, and a high level of attention to detail.

While considerable work remains to be done, the accomplishments achieved over the past year promise that the audio-visual digitization and redaction project will successfully meet the objectives of ensuring the preservation and enhancing the accessibility of the audio-visual recordings of the trial proceedings of the ICTR. As a final result of the project, the permanent retention of this vital component of the legacy of the ICTR will be assured, and the outreach potential of this unique material will be fulfilled.

ICTR holds a Walk for the Gym to Promote Health and Fitness.

On Saturday 30th January 2009, over a hundred staff members supported the latest ICTR health and fitness drive by taking part in the first 'Walk for the Gym'. The day began at 9.30am at ICTR with staff members all colorfully kitted out in their sports gear and the signature T-shirts and caps that had been printed specially for the day. The walk took the participants past the clock tower, down Moshi Road to the Impala roundabout and then onto Njiro Road ending at the grounds of General Tyres where various activities had been organised.



On arrival at General Tyres, the Officer in Charge of DASS gave a welcome address and emphasized the importance of keeping fit and how this could alleviate stress and as a result improve the overall performance of the Tribunal.



Tai-Chi session after the walk

This was followed by a presentation on healthy eating habits, an aerobics session, a Tai-Chi session and a football match. A local physiotherapist was on hand to perform on the spot fitness assessments and there were various handouts on display containing information and guidance on healthy living. The ICTR clinic was also present to do quick blood pressure checks.

It was a highly relaxing and fun-filled day for a good cause and judging by the fact that people were still around late into the afternoon, it appears to have been immensely enjoyed by all. There have already been several requests to make this a regular event so watch this space!