



# ICTR Newsletter

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United Nations International Criminal Tribunal for Rwanda

July/August 2009

## United Nations Extends Term of Office of ICTR Judges



Front row l-r: Mr. Dieng (Registrar), Judge Sekule, Judge Khan (vice President), Judge Byron (President), Judge Møse and Judge Egorov; Back row: Judge Muthoga, Judge Arrey, Judge Kam, Judge Park, Judge Joensen, Judge Masanche, Judge Rajohnson and Judge Akay  
Judges not in the photo: Judge Bossa, Judge Hikmet and Judge Short

The Security Council of the United Nations on 7 July 2009 extended the term of office of six permanent judges of the UN International Criminal Tribunal for Rwanda until 31 December 2010, or until the completion of the cases to which they were or will be assigned if

sooner. The Council also extended until the same date the term of office of 11 ad litem judges.

Urging the Tribunal to take all possible measures to complete its work expeditiously, the Security Council unanimously adopted resolution 1878 (2009), tabled by Austria, under Chapter VII of the United Nations Charter, stressing that it did so without setting a precedent.

The Council also decided, among other things, that two judges (Judge Joseph Asoka Nihal de Silva from Sri Lanka and Judge Emile Francis Short from Ghana) might work part-time and engage in another judicial occupation of independent status in their home countries during the remainder of their terms of office.

Expressing its expectation that the extension of the term of office of judges would contribute towards the implementation of the Tribunal's completion strategy, the Council further decided to review the extension of the term of office

of the permanent judges who were members of the Appeals Chamber by 31 December 2009.

On 4 June 2009 the President of the Tribunal Judge Dennis Byron, and Prosecutor Hassan Bubacar Jallow, as well as Mr. Thomas Mayr-Harting of Austria, Chairman of the Council's informal working group on the International Tribunals, briefed the Council about the Tribunal's Completion Strategy.

The permanent judges whose term of office was extended, and who are also members of the Trial Chambers, are Charles Michael Dennis Byron (Saint Kitts and Nevis), Joseph Asoka Nihal de Silva (Sri Lanka), Khalida Rachid Khan (Pakistan), Arlette Ramaroson (Madagascar), and William H. Sekule (United Republic of Tanzania). The Council also decided that the term of office of the permanent judge appointed to replace Sergei Aleckseevich Egorov (Russian Federation) shall extend until 31 December 2010, or until the completion of the cases to which he or she will be assigned if sooner.

*Ad litem* judges whose term of service was extended are; Aydin Sefa Akay (Turkey), Florence Rita Arrey (Cameroon), Solomy Balungi Bossa (Uganda), Taghrid Hikmet (Jordan), Vagn Joensen (Denmark), Gberdao Gustave Kam (Burkina Faso), Joseph Edward Chiondo Masanche (United Republic of Tanzania), Lee Gacugia Muthoga (Kenya), Seon Ki Park (Republic of Korea), Mparany Mamy Richard Rajohnson (Madagascar) and Emile Francis Short (Ghana).

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**Editor-in-Chief:** Roland Amoussouga  
**Senior Editor:** Bocar Sy  
**Associate Editor:** Danford Mpumilwa  
**Editing/Layout/Design/Photos:** Rani Dogra  
**Contributions:** Career Resource Centre, Charles Kamuru, Thierry Leclerc, Helge Zeitler, Tom Kennedy,

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



## ICTR holds Job Fair for its Staff

**The Human Resource and Planning Section organized a Job Fair for ICTR staff both in Arusha and Kigali. The Job Fair in Arusha was held from 17-24 August 2009 and in Kigali from 20-23 August.**



*Invitees and staff members at the start of the Job Fair observe a minute of silence for deceased staff members. Staff members from The Hague and Kigali were also present via video-link*

A Job Fair Task Force comprising members from different organs of the ICTR was established. They worked tirelessly to make the Job Fair a reality by contacting different UN and International Organisations, inviting them to the Job Fair. Staff were encouraged to fill in password protected e-Fact Sheets that were made available to interested organizations via the ICTR website.

This event was a *premier* in the annals of the United Nations. A total of 8 Organizations attended. Over twenty organizations requested to review the e-Fact Sheets of staff members.

A total number of 845 individual interviews were conducted by DPKO, OHCHR, UNICEF, CTED, UNV, ECA, and Radar Recruitment Agency. The Staff Members who could not attend the interviews will have a teleconference or video conference with any of the agencies, facilitated by the ICTR Career Resources Centre. Approximately 80% of staff participated in the Job Fair with many of them attending more than one interview. The small percentage that did not participate was either on holiday or out of the duty station.

An observer from ICTY noted with satisfaction that the Job Fair was a great success, while a representative from one of the agencies had this to say, *"I came thinking I am in for a charity mission, but I have with me many solid cases of extraordinary experience."*

The Job Fair in Kigali was a great success and was appreciated by Kigali staff members. Between 20-21 August, UNV Rep. Mr. Tadiwa Muradzikwa met and conducted interviews for 66 national staff.

Between 22-23 August, DPKO Reps Ms Jane Kembabazi and Mr. Leonard Oti met and conducted interviews for 49 international staff. The two DPKO Officials also took time to meet with the Kigali National Staff.

## ICTR Judicial Activities

Work of the Trial Chambers and the Appeals Chamber Between 1 July and 30 August 2009

### 1. Trial Chamber I

#### Ongoing trials

##### **Munyakazi**

The Defence case in Munyakazi began on 31 August 2009.

The Chamber denied two Defence Motions, one related to the appearance of a witness detained in Rwanda, and a second related to the accommodation preferences of individual witnesses. In addition, the Chamber issued an Order instructing the Defence to reduce its witness list.

#### Cases where closing arguments are awaited

##### **Setako**

The Defence closed its case on 26 June 2009 subject to some procedural matters after 35 Defence witnesses testified. Closing arguments are expected to take place in early November 2009. The Chamber issued a decision dated 31 August 2009, denying the Defence applications to call two additional witnesses.

#### Cases where judgement delivery is awaited

##### **Nsengimana**

Deliberations in this case are ongoing. The Chamber will announce the date of judgment in due course. It issued a decision dated 31 August 2009, denying two Defence motions relating to newly discovered evidence.

#### Judgement Delivered

##### **Renzaho**

On 14 July 2009, the Chamber sentenced Colonel *Tharcisse Renzaho* (former prefect of Kigali-Ville) to a life sentence. He was found guilty of genocide, crimes against humanity and serious violations of Article 3 common to the Geneva Conventions and Additional Protocol II (war crimes) but acquitted of complicity to commit genocide.

### 2. Trial Chamber II

#### Ongoing trials

##### **Hategekimana**

The trial of *Ildephonse Hategekimana*, a commander at the Ngoma Camp in Butare *Préfecture*, is scheduled to recommence on 23 September 2009. The trial adjourned on 13 July 2009, following the testimonies of twelve Defence witnesses. On 14 July 2009, the Chamber issued a trial Scheduling Order for the coming closing session, where seventeen additional Defence witnesses are expected to testify. The Prosecution closed its case on 04 May, after calling a total of twenty witnesses.



### **Kanyarugika**

The case commenced on 31 August 2009.

On 28 August 2009, the Trial Chamber denied an urgent Defence Motion for a stay of proceedings. During July and August, the Chamber issued two further decisions, one scheduling order, two interim orders and one order for the transfer a detained witness.

During the first day of proceedings, the Chamber issued various oral decisions, including, *inter alia*, on a Defence request for an adjournment.

#### Trials in Judgement Drafting Phase

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

The Chamber is involved in deliberations and judgement drafting.

### **Military II**

The Chamber is involved in deliberations and judgement drafting. In July and August, the Chamber rendered four decisions on variation of witnesses protective measures, an allegation of possible witness recantation, and a purported Rule 68 violation.

### **Bizimungu et al.**

In addition to ongoing work in the judgement drafting, the Trial Chamber on 7 August 2009 issued a Decision granting Ngirabatware's motion for the disclosure of certain exhibits. The Chamber also rendered two Decisions on 28 August 2009, the first related to a Defence request for the admission into evidence of certain transcripts and the second in connection with the proposed recruitment of a Legal Consultant.

#### Trials to Commence Soon

### **Ngirabatware**

The Chamber rendered four decisions in July and August 2009.

On 16 June 2009, a decision of the Registrar, pursuant to the Accused's request, withdrew Professor David Thomas as Lead Counsel. New Lead Counsel, Peter Herbert was assigned on 1 July 2009 by the Registrar. On 15 July 2009, the Trial Chamber granted a Defence Urgent Motion for Reconsideration of the Trial Chamber's Decision on the Trial Date set for 3 August and ordered the trial to start on 23 September 2009. On 10 August 2009, the Chamber denied the Defence's motion for certification to appeal the latter decision. A status conference will be held on 7 September 2009.

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

#### Ongoing trials

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

The Chamber rendered 22 decisions and orders during the period of July and August. Following the Appeals Chamber decision of 19 June 2009 on the severance of Matthieu Ndirumpatse, the Chamber appointed on 3 July 2009 an independent medical expert to report on Matthieu Ndirumpatse's health and fitness to participate in his trial. The report was received on 11 August 2009. In view of the medical information, the

Chamber issued an order on 24 August 2009 requesting the Parties to file submissions about the resumption of the trial. The Chamber will issue a decision on this issue shortly.

The Chamber also decided on Joseph Nzirorera's application for admission of written statements and testimony pursuant Rule 92 *bis* of the Rules of Procedure and Evidence.

### **Muvunyi (Re-Trial)**

In August 2009, the Chamber rendered four decisions in view of the start of the Defence case. On 18 August 2009, the Chamber denied the Defence's Motion for Judgement of Acquittal.

The Defence started its case on 24 August 2009. In three trial days, the Chamber heard six Defence witnesses. The last one will be heard on 14 September 2009 when the Defence will close its case.

### **Ntawukulilyayo**

Following the close of the Prosecution case on 26 May 2009, the Trial Chamber on 2 July 2009 rendered a Decision denying a Defence motion for no case to answer.

In another Decision dated 31 July 2009, the Trial Chamber rejected the Defence request for the postponement of deadlines for the filing of the Pre-Defence Brief and the opening of the Defence case. On 14 August 2009, the Trial Chamber denied a Defence application for certification to appeal the Decision of 31 July 2009.

Furthermore, after receiving the Defence Pre-Trial Brief, the Trial Chamber, on 21 August 2009, ordered the Defence to file a revised and reduced witness list along with a summary of the anticipated testimony of each witness. There will be a status conference on 10 September 2009, and the Defence case is expected to open on 14 September 2009.

#### Judgement Delivered

### **Nshogoza**

An oral summary of the judgement in this case was delivered on 2 July 2009 while the written judgement was rendered on 7 July 2009. The Trial Chamber found Léonidas Nshogoza guilty of committing contempt of the Tribunal and sentenced him to ten months imprisonment. Thereafter, on 16 July 2009, the Trial Chamber issued an order inviting the parties to file submissions on the alleged violation of witness protection measures. The Trial Chamber is currently deliberating on those submissions.

#### Trials to commence soon

### **Nzabonimana**

The pre-trial Chamber issued four decisions, including, on 2 July 2009 and following a defence motion, an order to France for cooperation. In a decision of 24 August 2009, the Pre-Trial Chamber granted the Defence request to postpone the beginning of the Trial to allow for additional time to prepare the case. The Pre-Trial Chamber is liaising with the Parties in order



to fix a new trial date. On the same date, the Chamber granted a Defence request to meet with Prosecution witnesses.

#### **Bagaragaza**

On 20 August 2009, the Pre-Trial Chamber vacated the trial date which was initially scheduled for 31 August 2009. A new Pre-trial Chamber composed of Judges Joensen (presiding), Byron and Kam has been appointed in August.

#### **Gatete**

On 3 July 2009, the Pre-Trial Chamber rendered a Decision granting, in part, a Defence motion concerning defects in the Amended Indictment and ordering the Prosecution to file a Second Amended Indictment by 8 July 2009.

In a Scheduling Order issued on 11 August 2009, Trial Chamber III set the date for the commencement of the trial on 19 October 2009 and ordered the Prosecution to file its Pre-Trial Brief no later than 19 August 2009. On 19 August 2009, the Trial Chamber rejected a Defence application for certification to appeal the Pre-Trial Chamber's Decision concerning defects in the Amended Indictment. Furthermore, on 21 August 2009, the Trial Chamber granted a Prosecution motion for judicial notice of facts of common knowledge.

#### **4. Appeals Chamber**

The Appeals Chamber is seized of ten matters, including eight cases involving appeals from judgement.

In July and August, the Appeals Chamber issued 21 decisions of which 18 were pre-appeal orders and decisions and three were decisions on requests for post-appeal matters.

In the *Bikindi* case, where the Notices of Appeal were filed on 31 December 2008, the briefing is completed and the case is being prepared for a hearing, including a consideration of four applications for admission of additional evidence on appeal. The appeal hearing is scheduled for 30 September 2009 in Arusha.

In the *Zigiranyirazo* case, both parties filed notices of appeal in January 2009. The briefing is completed and the case is being prepared for a hearing, including a consideration of an application for admission of additional evidence on appeal. The appeal hearing is scheduled for 28 September 2009 in Arusha.

In the *Nchamihigo* case, the appellant filed his notice of appeal on 6 March 2009. The briefing is completed and the case is being prepared for a hearing, including a consideration of two applications for admission of additional evidence on appeal. The appeal hearing is scheduled for 29 September 2009 in Arusha.

In connection with the *Bagosora et al.* Trial Judgement pronounced on 18 December 2008 and issued in writing on 9 February 2009, 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

(expected in December 2009). Aloys Ntabakuze and Anatole Nsengiumva filed their notices of appeal in March 2009. The briefing in respect of Aloys Ntabakuze's appeal is in progress.

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 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.

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. Callixte Kalimanzira received an extension of time to file his appeal brief within 75 days of the filing of the French translation of the Trial Judgement.

The Trial Judgement concerning Leonidas Nshogoza was rendered on 2 July 2009. Leonidas Nshogoza appealed his contempt conviction and the briefing was completed on 24 August 2009.

In the *Renzaho* case, in which the Trial Judgement was rendered on 14 July 2009, Tharcisse Renzaho gave notice of his intention to appeal on 2 September 2009.

In addition to these appeals, the Appeals Chamber is seized of applications from Juvenal Kajelijeli and Eliezer Niyitegeka concerning post appeal matters.

From the beginning of 2009, the Appeals Chamber has rendered one Judgement, in the *Karera* case, ten decisions on interlocutory appeals, twelve decisions concerning post appeal matters, including review, and ninety-eight 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.

#### **Nshogoza Sentenced to 10 Months**

Trial Chamber III of the International Criminal Tribunal for Rwanda (ICTR) on 2 July 2009 convicted and sentenced Léonidas Nshogoza, former Defence investigator during the trial of Jean de Dieu Kamuhanda, to 10 months imprisonment for committing contempt of the Tribunal. The Chamber however gave credit for time served to the accused, who has been in custody of the Tribunal since 8 February 2008 and ordered his immediate release.



The Chamber composed of Judges Khalida Rachid Khan, presiding, Lee Gacuiga Muthoga and Aydin Sefa Akay, found Nshogoza guilty on one count; for committing contempt of the Tribunal by repeatedly meeting with and disclosing the protected information of two Witnesses (GAA & A7/GEX), in knowing violation of, or with reckless indifference to the



protective measures ordered by the Kamuhanda Trial Chamber on 7 July 2000.

The Chamber acquitted him on the other three counts. Nshogoza was initially charged with four counts: two counts (one and two) of contempt of the Tribunal and two counts (three and four) of attempt to commit acts punishable as contempt of the Tribunal.

In its judgment the Chamber noted that the Prosecution failed to prove beyond a reasonable doubt that Nshogoza attempted to commit acts punishable as contempt of the Tribunal.

The Chamber in rendering its judgment also took into account, on the one hand, the aggravating factors, which included his repeated meetings with protected witnesses, his background of having studied law, his position as an investigator in the Kamuhanda defence team, as well as in the Rukundo case and his admission to submitting a false claim for fees to the Tribunal. On the other hand, the Chamber also took into account the mitigating factors including the family circumstances of the Accused, who has three children aged 14, 15 and 17, his cooperation with the Tribunal through his voluntary surrender on 8 February 2008, his having no past criminal record.

The trial commenced on 9 February 2009 and concluded on 30 March 2009. Five witnesses testified for the Prosecutor, and 11 witnesses for the Defence, including Nshogoza himself. The Prosecution team was led by Richard Karegyesa Senior Trial Attorney assisted by Abdoulaye Seye and Dennis Mabura while the accused was represented by Allison Turner.

### Tharcisse Renzaho Given Life Sentence

The International Criminal Tribunal for Rwanda on 14 July 2009 sentenced Tharcisse Renzaho, prefect of Kigali-Ville and Colonel in the Rwandan Armed Forces in 1994, to life imprisonment. He was found guilty of genocide, crimes against humanity and serious violations of Article 3 common to the Geneva Conventions and Additional Protocol II (war crimes) but acquitted of complicity to commit genocide.



The Chamber found that Renzaho supported the killings of Tutsis at roadblocks, which were set up following his directives. It concluded that he ordered the distribution of weapons, and that persons who received them then killed Tutsis. Renzaho also supervised a selection process at a refugee site called CELA, where about 40 Tutsis were abducted and killed.

At the Sainte Famille church, the Chamber found that he participated in an attack where more than 100 Tutsis were killed. He also made remarks encouraging the sexual abuse of women and was found criminally liable for rape that followed.

Renzaho was arrested on 29 September 2002 in the Democratic Republic of Congo and transferred to the UN Detention Facility on 30 September 2002. The trial commenced on 8 January 2007 and closed on 6 September 2007 after hearing 53 witnesses, including Renzaho, over 49 trial days.

The Prosecution team was led by Senior Trial Attorney Jonathan Moses, and included Katya Melliush and Ignacio Tredici. Renzaho was represented by Maître François Cantier (France) and Barnabé Nekuie (Cameroon). 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).

### Trial of Gaspard Kanyarukiga Commences



The trial of Gaspard Kanyarukiga, a former businessman of Kivumu, Kibuye prefecture, began on 31 August 2009 before Trial Chamber II, composed of Judges Taghrid Hikmet, Presiding, Seon Ki Park and Joseph Masanche.

Kanyarukiga is charged with four counts: Genocide, Complicity in genocide, Conspiracy to commit genocide, and Crimes against humanity (Extermination).

In its opening remarks the Prosecution told the Trial Chamber that it will call ten factual witnesses, both survivors and perpetrators of the Nyange Massacres, whose testimony will prove beyond a reasonable doubt that the accused committed the crimes.

Trial Attorney, Ms. Holo Makwaia stated that thousands of Tutsis were massacred at Nyange Parish when the church was razed to the ground. She added that the Prosecution would present evidence that Kanyarukiga was one of the instrumental persons in the commission of genocide in Nyange Parish.

Traditionally churches were safe havens when attacks occurred. In 1994, this was not the case, the Prosecution told the Court, as the accused Kanyarukiga and his co-perpetrators who included Athanase Seromba, (serving life sentence) Gregoire Ndahimana, recently arrested, who was the burgomaster of Kivumu commune, Fulgence Kayishema, a police inspector, Ndugutse Habyambere, still at large, and others teamed up to execute their common objective, that of exterminating the Tutsis of Kivumu commune.

Gaspard Kanyarukiga was born in 1945 in Kivumu Commune. He was arrested on 16 June 2004 in the Republic of South Africa and was transferred to the UN Detention Facility in Arusha on 19 June 2004.

The Defence is led by Counsel Jacobs David from Canada. It will make its opening remarks at a later date.



## Decisions of the ICTR between 1 July and 31 August 2009

Date	Record Number	Title	TC
01/07/2009	ICTR-98-44-3981	KAREMERA ET AL - DECISION ON EDOUARD KAREMERA'S APPLICATION FOR CERTIFICATION TO APPEAL THE DECISION DENYING HIS MOTION FOR ADMISSION OF AN EXPERT WITNESS	TC 3
01/0720/09	ICTR-96-14-0431	NIYITEGEKA - DECISION ON MOTION FOR CLARIFICATION	Trial Team IV
01/07/2009	ICTR-07-91-0285	NSHOGOZA - DECISION ON DEFENCE MOTION TO ADMIT THE STATEMENT OF DEFENCE WITNESS STRATON NYARWAYA INTO EVIDENCE, AND FOR OTHER RELIEF	TC 3
02/07/2009	ICTR-98-44D-0044	NZABONIMANA - DECISION SUR LA REQUETE URGENTE DE CALLIXTE NZABONIMANA DEMANDANT A LA CHAMBRE D'ORDONNER A LA FRANCE COOPERATION ET ASSISTANCE	TC 3
02/07/2009	ICTR-05-82-0073/1	NTAWUKULILYAYO - DECISION ON DEFENCE MOTION FOR NO CASE TO ANSWER	TC 3
03/07/2009	ICTR-98-44-3987	KAREMERA ET AL - DECISION ON NZIRORERA MOTION FOR RECONSIDERATION OF FINE	TC 3
03/07/2009	ICTR-01-73-0731	ZIGIRANYIRAZO - DECISION ON PROTAIS ZIGIRANYIRAZO'S MOTION FOR AN EXTENSION OF TIME FOR THE FILING OF THE REPLY BRIEF	AC
03/07/2009	ICTR-00-61-0073	GATETE - DECISION ON DEFENCE MOTION CONCERNING DEFECTS IN THE AMENDED INDICTMENT	TC 1
06/07/2009	ICTR-98-41-2356	[MILITARY I] - DECISION ON ALOYS NTABAKUZE'S MOTION FOR LEAVE TO FILE AMENDED APPEAL BRIEF OUT OF TIME	AC
06/07/2009	ICTR-97-36A-0112	MUNYAKAZI - DECISION ON YUSSUF MUNYAKAZI'S MOTION FOR PROTECTIVE MEASURES FOR DEFENCE WITNESSES [ Article 21 of the statute, Rules 69 and 75 of the Rules of Procedure and Evidence]	TC 1
07/07/2009	ICTR-02-78-0167	KANYARUKIGA - SCHEDULING ORDER	TC 2
07/07/2009	ICTR-01-72-0295	BIKINDI - DECISION ON NGIRABATWARE DEFENCE REQUEST FOR DISCLOSURE OF EXHIBITS ADMITTED DURING THE TESTIMONY OF PROSECUTION WITNESS BKW IN THE BIKINDI CASE RULE 75 F AND G (i)	TC 3
08/07/2009	ICTR-01-63-0327	NCHAMIHIGO - DECISION ON DEFENCE MOTION FOR A FRENCH TRANSLATION OF THE PROSECUTOR'S RESPONDENT'S BRIEF AND FOR EXTENSION OF TIME FOR THE FILING OF THE REPLY BRIEF	AC
10/07/2009	ICTR-96-3-1371	RUTAGANDA - DECISION ON RUTAGANDA'S APPEAL CONCERNING ACCESS TO CONFIDENTIAL MATERIALS IN THE KAREMERA ET AL CASE	Trial Team IV
15/07/2009	ICTR-99-54-0184	NGIRABATWARE - DECISION ON DEFENCE EXTREMELY URGENT MOTION FOR RECONSIDERATION OF THE TC'S DECISION ON THE TRIAL DATE	TC 2
15/07/2009	ICTR-98-44-4001	KAREMERA ET AL - ORDONNANCE SUITE A LA REQUETE DE MATTHIEU NGIRUMPATSE VISANT A L'ADMISSION DE DECLARATIONS SUR LE FONDEMENT DE L'ARTICLE 92 BIS DU REGLEMENT	TC 3
15/07/2009	ICTR-99-54-0185	NGIRABATWARE - DECISION ON EXTREMELY URGENT AND CONFIDENTIAL DEFENCE MOTION FOR DISCLOSURE OF CLOSED SESSION TESTIMONY OF PROSECUTION WITNESS AHI IN NAHIMANA ET AL AND ASSOCIATED EXHIBITS FILED UNDER SEAL	TC 2
15/07/2009	ICTR-98-44-4002	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR ADMISSION OF WRITTEN STATEMENTS AND WITNESS TESTIMONY	TC 3
15/07/2009	ICTR-00-56-1097	NDINDILYIMANA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR VARIATION OF PROTECTIVE MEASURES FOR WITNESSES DC2-5 AND CBP99	TC 2
16/07/2009	ICTR-97-36A-0116	MUNYAKAZI - DECISION ON YUSSUF MUNYAKAZI'S MOTION FOR PROTECTIVE MEASURES FOR DEFENCE WITNESSES	TC 1
20/07/2009	ICTR-05-88-0168	KALIMANZIRA - DECISION ON CALLIXTE KALIMANZIRA'S MOTION FOR AN EXTENSION OF TIME FOR THE FILING OF NOTICE OF APPEAL	TC 3
21/07/2009	ICTR-98-44D-0051	NZABONIMANA - DECISION ON PROSECUTOR'S MOTION FOR AMENDMENT OF INDICTMENT (Rule 47 and 50 of the Rules of procedure and Evidence)	TC 3
21/07/2009	ICTR-99-54A-0107	KAMUHANDA - DESION ON MOTION FOR LEGAL ASSISTANT	AC



Date	Record Number	Title	TC
21/07/2009	ICTR-98-44-4008	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO RECALL PROSECUTION WITNESS BDW	TC 3
28/07/2009	ICTR-07-91-0291	NSHOGOZA - DECISION ON DEFENCE REQUEST FOR ORDER FOR COOPERATION OF THE REPUBLIC OF RWANDA AND THE UNITED REPUBLIC OF TANZANIA	TC 3
31/07/2009	ICTR-05-82-0076	NTAWUKULILYAYO - DECISION ON URGENT DEFENCE MOTION FOR POSTPONEMENT OF DEADLINES FOR FILING OF PRE-DEFENCE BRIEF AND THE OPENING OF THE DEFENCE CASE	TC 3
31/07/2009	ICTR-98-44-4014	KAREMERA ET AL - RECONSIDERATION OF AND CORRIGENDUM TO THE CHAMBER'S DECISION ON JOSEPH NZIRORERA'S MOTIONS FOR ADMISSION OF WRITTEN STATEMENTS AND TESTIMONY	TC 3
31/07/2009	ICTR-98-44-4014	KAREMERA ET AL - RECONSIDERATION OF AND CORRIGENDUM TO THE CHAMBER'S DECISION ON JOSEPH NZIRORERA'S MOTIONS FOR ADMISSION OF WRITTEN STATEMENTS AND TESTIMONY	TC 3
03/08/2009	ICTR-07-91-0294	NSHOGOZA - DECISION ON LEONIDAS NSHOGOZA'S MOTION TO EXCEED WORD LIMITS	TC 3
03/08/2009	ICTR-00-55A-0438	MUVUNYI - DECISION ON THARCISSE MUVUNYI'S APPLICATION TO VARY THE PRE-DEFENSE BRIEF AND ALLOW WITNESS M099 TO TESTIFY ON 14 SEPTEMBER 2009	Trial Team IV
03/08/2009	ICTR-98-44-4015	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR RECONSIDERATION OF DECISION ON MOTION FOR JUDGEMENT OF ACQUITTAL: INCITEMENT	TC 3
04/08/2009	ICTR-00-56-1113	NDINDILYIMANA ET AL - DECISION ON NDINDILYIMANA'S MOTION REQUESTING A REMEDY FOR POSSIBLE WITNESS RECONTATION	TC 2
07/08/2009	ICTR-99-50-2108	BIZIMUNGU ET AL - DECISION ON NGIRABATWARE'S CONFIDENTIAL MOTION FOR DISCLOSURE OF EXHIBITS ADMITTED DURING THE TESTIMONY OF PROSECUTION WITNESS GTC - RULE 75 F (i) OF THE RULES OF PROCEDURE AND EVIDENCE	Trial Team IV
10/08/2009	ICTR-99-54-0089	NGIRABATWARE - DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE TC DECISION ON DEFENCE EXTREMELY URGENT MOTION FOR RECONSIDERATION OF THE TC'S DECISION ON THE TRIAL DATE RENDERED ON 15 JULY 2009	TC 2
10/08/2009	ICTR-99-50-2109	BIZIMUNGU ET AL - COFIDENTIAL DECISION FOLLOWING THE REPORT OF AMICUS CURIAE ON WHETHER THERE ARE SUFFICIENT GROUNDS TO PROCEED AGAINST WITNESS GFA FOR GIVING FALSE TESTIMONY	Trial Team IV
11/08/2009	ICTR-02-78-0183	KANYARUKIGA - DECISION ON PROSECUTOR'S MOTION TO VARY HIS WITNESS LIST (Rule 73bis(E) of the RPE)	TC 2
14/08/2009	ICTR-05-82-0080	NTAWUKULILYAYO - DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE CHAMBER'S DECISION OF 31 JULY 2009	TC 3
18/08/2009	ICTR-00-55A-0442	MUVUNYI - DECISION REGARDING THARCISSE MUVUNYI'S APPLICATION FOR PROTECTIVE MEASURES	Trial Team IV
18/08/2009	ICTR-00-55A-0441	MUVUNYI - DECISION ON MOTION FOR JUDGEMENT OF ACQUITTAL - RULE 98 bis OF THE RULES OF PROCEDURE AND EVIDENCE	Trial Team IV
18/08/2009	ICTR-98-44-4026	KAREMERA ET AL - CONFIDENTIAL DECISION ON MOTIONS FOR EXTENSION OF TIME	TC 3
19/08/2009	ICTR-00-55A-0443	MUVUNYI - APPLICATION TO VARY WITNESS PROTECTIVE ORDER AND SUBMISSIONS IN COMPLIANCE WITH DECISION REGARDING THARCISSE MUVUNYI'S APPLICATION FOR PROTECTIVE MEASURES OF 18 AUGUST 2009 ORDERING THE DEFENSE TO INDICATE STATUS OF WITNESSES MO101 AND MO102	Trial Team IV
19/08/2009	ICTR-98-44-4032	KAREMERA ET AL - DECISION ON MOTION FOR EXTENSION OF TIME TO COMPLETE CERTIFICATIONS	TC 3
19/08/2009	ICTR-97-36A-0106/1	MUNYAKAZI - DECISION ON THE DEFENCE'S CONFIDENTIAL AND URGENT MOTION FOR THE TRANSFER OF WITNESS ELB FROM RWANDA	TC 1
19/08/2009	ICTR-00-61-0084	GATETE - DECISION ON DEFENCE APPLICATION FOR CERTIFICATION TO APPEAL THE CHAMBER'S DECISION ON DEFECTS IN THE INDICTMENT	TC 3



Date	Record Number	Title	TC
19/08/2009	ICTR-97-36A-0106/2	MUNYAKAZI - DECISION RELATIVE A LA REQUETE CONFIDENTIELLE ET EN EXTREME URGENCE DE LA DEFENCE AUX FINS DU TRANSFERT DU TEMOIN ELB DU RWANDA	TC 1
19/08/2009	ICTR-97-36A-0106/3	MUNYAKAZI - ICYEMEZU KU CYIFUZO CYIHUTIRWA KANDI CY'IBANGA CY'UBWUNGANIZI GISABA KUZANA UMUTANGABUHAMYA ELB URI MU RWANDA	TC 1
21/08/2009	ICTR-00-61-0086	GATETE - DECISION ON PROSECUTION'S MOTION FOR JUDICIAL NOTICE OF FACTS OF COMMON KNOWLEDGE	TC 3
24/08/2009	ICTR-98-44D-0063	NZABONIMANA - DECISION ON MOTION TO INTERVIEW PROSECUTION WITNESSES	TC 3
24/08/2009	ICTR-99-54-0199	NGIRABATWARE - DECISION ON DEFENCE REQUEST FOR AN AMENDMENT TO THE RESPONSE OF NGIRABATWARE TO PROSECUTOR'S REQUEST TO ADMIT FACTS	TC 2
24/08/2009	ICTR-98-44-4034/2	KAREMERA ET AL - DECISION RELATIVE A LA REQUETE DE JOSEPH NZIRORERA INTITULEE "MOTION FOR REQUEST FOR COOPERATION TO BELGIUM"	TC 3
24/08/2009	ICTR-98-44-4034/1	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR REQUEST FOR COOPERATION TO BELGIUM	TC 3
24/08/2009	ICTR-97-36A-0122	MUNYAKAZI - DECISION ON DEFENCE MOTION FOR VARIATION OF PROTECTIVE MEASURES FOR DEFENCE WITNESSES "KHO", "YFD", "YFE" AND "YFTA"	TC 1
24/08/2009	ICTR-98-44D-0062	NZABONIMANA - DECISION ON MOTION FOR TRANSEFER OF WITNESSES AND OTHER ISSUES RELATING TO THE PREPARATION OF THE TRIAL	TC 3
25/08/2009	ICTR-97-36A-0123	MUNYAKAZI - ORDER FOR THE DEFENCE TO REDUCE ITS LIST OF WITNESSES	TC 1
26/08/2009	ICTR-02-78-0193	GASPARD KANYARUKIGA - DECISION ON THE EXTREMELY URGENT DEFENCE MOTION FOR DISCLOSURE OF ALL EXHIBITS FROM THE SEROMBA TRIAL RULE 75(G) OF THE RULES OF PROCEDURE AND EVIDENCE	TC 2
27/08/2009	ICTR-98-41-2370	[MILITARY I] - BAGOSORA ET AL - DECISION ON ALOYS NTABAKUZE'S MOTION TO TIME-BAR PROSECUTION RESPONSE BRIEF	AC
28/08/2009	ICTR-02-78-0199	GASPARD KANYARUKIGA - DECISION ON THE EXTREMELY URGENT MOTION FOR A STAY OF THE PROCEEDINGS	TC 2
28/08/2009	ICTR-99-50-2112	BIZIMUNGU ET AL - DECISION ON PROSPER MUGIRANEZA'S REQUEST FOR DISCLOSURE PURSUANT TO RULE 68 AND FOR APPROPRIATE RULIEF - RULE 68 (A) OF THE RULES OF PROCEDURE AND EVIDENCE	Trial Team IV
28/08/2009	ICTR-99-50-2111	BIZIMUNGU ET AL - DECISION ON THE OBJECTIONS OF THE MUGIRANEZA AND BICAMUMPAKA DEFENCE TEAMS TO THE ENGAGEMENT OF MR. EVERARD O'DONNELL AS A CHAMBERS CONSULTANT	Trial Team IV
28/08/2009	ICTR-98-44-4048	KAREMERA ET AL - DECISION ON MOTION FOR DISCLOSURE OF MEDICAL INFORMATION AND FOR EXTENSION OF TIME	TC 3
31/08/2009	ICTR-00-56-1126	NDINDILYIMANA ET AL - DECISION ON AUGUSTIN BIZIMUNGU'S MOTION FOR DISCLOSURE OF A CONTESTED DOCUMENT	TC 2

## News from Kigali

- **Another ICTR Information Centre Opens in Kigali**

The United Nations Resident Coordinator and Representative in Rwanda, Mr. Aurélien A. Agbenonci, accompanied by the Chief of External Relations and Strategic Planning Section and Spokesman of the ICTR, Mr. Roland Amoussouga, on Monday 27 July 2009 inaugurated an ICTR Information and Documentation Centre at Ngoma High Court in Ngoma District, Eastern Province.

The Centre was the last to be inaugurated after nine other similar ones that the ICTR has established



*The Delegates and visitors inspecting the Centre*





throughout the country in the districts of Gasabo, Muhanga, Nyamagabe, Rusizi, Musanze, Rubavu, Karongi, Nyagatare and Ngoma Districts.

Speaking on the occasion, Mr. Agbenonci said that the launching of this Center was a testimony of the strong cooperation between Rwanda, the European Commission, the ICTR and the United Nations.

*“As we inaugurate the Centre, we have a strong hope that the knowledge base of lawyers in provincial courts will be expanded and strengthened through the easy access to and use of the tools and technologies they are provided with, and for which they have been effectively trained”.*

He expressed his gratitude to the European Union for its support in the establishment of the Centers and to the Government of Rwanda for its generous contribution in making available the facilities in all ten locations in the country.

The UNDP Resident Coordinator also pointed out that this Center will play a crucial role in providing continued genocide-related education which will assist in promoting peace and security in Rwanda and the Great Lakes Region.

In his address, the President of the Ngoma Higher Court of Instance, Mr. Jerome Mugeyo, said that the Government of Rwanda acknowledges the support the European Union, ICTR and the UN system in Rwanda have been providing in rehabilitating and developing the Justice Sector in the Country.

*“It is not the first time the ICTR, the European Union and the United Nations in Rwanda have been at the forefront in supporting Rwanda’s judiciary. The Centers are important for our judicial professionals, to maximize the resources available hence reinforcing the capacity of the justice sector in Rwanda”.*

In his address, Mr Roland Amoussouga said that the establishment of the Provincial Centers will be instrumental in the dissemination of the Tribunal’s information to the Rwandan population and also enable researchers to have easy access to Legal Documents. The project of Information and Documentation Centres dates back to September 2000, when the first *Umusanzu mu Bwiyunge Center* was inaugurated in Kigali City.

Other officials present at the ceremony included the District Prosecutor, the Mayor, senior District Civilian, Military and Administrative officers and ICTR senior staff from Arusha and Kigali.

### **Former Press Chief re-visits ICTR**

On Wednesday 26 August, during a private holiday in Tanzania, Mr Tom Kennedy, Chief of Press and Public Affairs at ICTR from 1999 to 2003, re-visited the

Tribunal. He paid a courtesy call on the President, Judge Dennis Byron, and held discussions with Judge Erik Møse. He was briefed on the progress of the Tribunal’s completion strategy by Mr Mandiaye Niang, Senior Legal Officer and Assistant to the Registrar.

Returning to his former section, Mr Kennedy was received by Mr Bocar Sy, Mr Danford Mpumilwa and Ms Rani Dogra. Mr Kennedy expressed his appreciation of the regular publications of the Unit including the press releases, brochures, monthly newsletters and the well presented and up-to-date web site which enable him to keep abreast of the progress of the work of the Tribunal during this important transitional phase.



*Staff Members of the PPAU in 2003 I-r: Danford Mpumilwa, Fatma Bongomba, Tom Kennedy, Rani Dogra & Bocar Sy (missing Jeannette Uwimana)*

During his tenure at the Tribunal Mr Kennedy was instrumental in setting up the *Umusanzu mu Bwiyunge* information centre in Kigali in September 2000. He and Mr. Sy also proposed the opening of smaller *Umusanzu* centres in other parts of Rwanda to disseminate information about the work of the Tribunal to Rwandan legal professionals and citizens who did not have the possibility of traveling to Kigali. He therefore expressed great satisfaction that ten such provincial centres had now been opened thanks to the financial support of the European Union and with the cooperation of the Government of Rwanda. He said that those centres would constitute an important part of the legacy of the Tribunal once its judicial work had been completed.

Since leaving the Tribunal Mr Kennedy has held the post of Head of the Legal Service of the EU Court of Auditors. The institution which is based in Luxembourg has the task of ensuring that EU funds are properly managed so as to ensure economy, efficiency and effectiveness. During their trip to Tanzania Mr Kennedy and his wife, Liv-Ellen, were also able to visit several of the charitable projects that they have continued to support since their return to Europe.