



# ICTR NEWSLETTER

March 2005



Published by the External Relations and Strategic Planning Section – Immediate Office of the Registrar  
United Nations International Criminal Tribunal for Rwanda

## Tribunal Inaugurates Fourth Courtroom

On 1 March 2005 the United Nations International Criminal Tribunal for Rwanda inaugurated its fourth courtroom which will increase its judicial output, a very important element in the Tribunal's Completion Strategy. The Royal Kingdom of Norway and the United Kingdom contributed US\$300,000 and US\$120,000, respectively to cover construction and operating costs of the courtroom until the end of 2008.

The Ambassador of Norway, H.E. Jorunn Maehlum, and the High Commissioner of the United Kingdom, H.E. Dr. Andrew Pockock cut the ceremonial ribbon to inaugurate the courtroom in the presence of the President of the ICTR, Judge Erik Møse, the Judges of the Tribunal, and the

Prosecutor, Mr. Hassan Bubacar Jallow. The ceremony was also attended by diplomats from Dar es Salaam, representatives of the Tanzanian authorities and Tribunal staff.



Security Council. She called upon other member states to demonstrate their fullest cooperation with the Tribunal.

The British High Commissioner, H. E. Dr. Pockock, said his country's contribution was evidence of its commitment to the ICTR, to its mandate, its completion strategy, and to justice for Rwanda. He also commended the Tribunal for its work which he added was contributing to the development of international law.

### In this issue

|  |   |
|--|---|
| Cooperation with Rwanda.....                                       | 2 |
| Outreach Diplomacy.....  | 2 |
| Outreach Activities in Rwanda.....                                 | 3 |
| Visitors to the ICTR.....  | 4 |
| HRPS Programme for Strengthening<br>ICTR Staff Special Skills..... | 4 |
| Inter-Tribunal Cooperation.....                                    | 4 |
| ICTR Judicial Archives short-listed for<br>coveted prize.....      | 5 |
| Judicial Proceedings.....  | 6 |
| News from The Hague.....   | 7 |
| Judicial Decisions Rendered in the Month<br>of March 2005.....     | 8 |

President Møse commended the Governments of Norway and the United Kingdom for their generosity which he said demonstrates their commitment to the idea of international criminal justice. He said that the fourth courtroom will facilitate the steady progress of the five ongoing multi-accused trials apart from strengthening the Tribunal's flexibility when the Appeals Chamber sits in Arusha and in case of unforeseen developments. "The Fourth Courtroom is now a very important element in our Completion Strategy," said the President. He paid tribute to all those involved in the construction project which was completed in record time, only four weeks. It started on 29 January 2005.

The Norwegian Ambassador, H. E. Ms. Maehlum, said that the new courtroom, together with other reforms which have been successfully implemented at the ICTR over the last few years, should make it possible for the Tribunal to finish its task within the timeframe set by the UN



Two hours after the inauguration ceremony, proceedings involving Lieutenant Colonel Tharcisse Muvunyi, the former Commander of the Rwandan military school, Ecole des Sous-officiers (ESO), took place in the new courtroom.

**Editor-in-chief:** Roland Amoussouga  
**Senior Editor:** Bocar Sy  
**Executive Editor:** Timothy Gallimore  
**Associate Editor:** Danford Mpumilwa  
**Layout/Design:** Rani Dogra,  
**Contributions:** T. Adami, K. Afande, R. Amoussouga, M. Hassouna, I. Kamanzi, C. Kamuru, J. Lukose, D. Mpumilwa, J. Mwicigi, M. Niang  
**E-Mail:** [ictr-press@un.org](mailto:ictr-press@un.org)





## Cooperation With Rwanda

### • ICTR Registrar meets President Kagame



*Mr. Adama Dieng and President Paul Kagame*

The Registrar of the International Criminal Tribunal for Rwanda, Mr. Adama Dieng, met the Rwandan President Paul Kagame on Thursday 24 March 2005. The purpose of the visit was to brief the Rwandan leader on the tribunal's completion strategy that involves the transfer of some of the genocide cases to the country's judicial authorities for trials to be carried out there. In addition the Registrar and the President discussed the good bilateral relations existing between the Rwandan government and the UN Tribunal. On the transfer of cases, Mr. Dieng said the agreement was ready and was only awaiting the United Nations Justice Council signature and approval to transfer the cases. He further said that the completion strategy had already been developed and presented to the UN Security Council.

*"The agreement is ready, it awaits only the signature and approval from the UN Justice Council so that we can transfer some of the genocide cases to Rwanda. Our plan is to speed up the operations and we are convinced that by the end of 2008, the tribunal will definitely complete its trial cases only remaining with appeal cases which we hope to complete by 2010",* said Mr. Dieng.

President Kagame appreciated the existing good relations between the Rwandan Government and the ICTR in addition to the good work being done by the tribunal and looked forward to see some of the trials carried out in Rwanda.

During the meeting, the Registrar was accompanied by his Special Assistant and the ICTR's Chief of Administration in Kigali, Mr. Mamoudou Toure.

## Outreach Diplomacy

### • ICTR Registrar Visits Cairo at the Invitation of the Government of Egypt

From 28 February to 3 March 2005 the ICTR's Registrar Mr. Adama Dieng, accompanied by his Special Assistant, Mr. Mandiaye Niang, undertook a mission to Egypt to attend a symposium on the Rwandan genocide at the invitation of the Egyptian Minister of Justice, H.E. Counsellor Mahmoud Abu El Lail Rashed. This event was organized by the Egyptian Government, in response to the last year's General Assembly Resolution calling on member States to commemorate the tenth anniversary of the Rwandan genocide. The Egyptian symposium was initially scheduled for last year and thereafter postponed. The symposium was well attended particularly by Representatives of the Diplomatic Community accredited to Cairo, Representatives of International Institutions, Scholars and Students in the field of Law and/or Human Rights.



*Mr. Dieng with Professor Fernand Texier, Rector of the Senghor University in Alexandria*

In his address to the symposium, Mr. Dieng reviewed the different achievements of the ICTR. He stressed the respective areas in which our institution has fostered the development of international humanitarian law. He also touched upon the deterrent function of ICTR, particularly towards African leaders who would be tempted to use gross violations of human rights as a tool to advance their political agenda.

During his stay in Cairo Mr. Dieng also paid a visit to different officials, including the Egyptian Minister of Foreign Affairs, H.E. Mr. Ahmed Abu El Ghait, the Secretary General of the Arab League, and the Arab Union of Lawyers. Each of these meetings provided the Registrar with an opportunity to advocate the positive role which is being played by the ICTR in the promotion of respect of human rights, accountability of political leadership in Africa, and for the development of a sustainable international criminal justice system.

**The ICTR welcomes and highly appreciates the positive step taken by the Government of Egypt to make voluntary contribution to the ICTR Trust Fund**



As a result, the Egyptian Government renewed its pledge to disburse its financial contribution to the Tribunal's Trust Fund. Furthermore, the Secretary General of the Arab League, Dr. Amr Moussa asserted the commitment of the Arab League to actively sensitize Arab member States to swiftly settle their outstanding assessed contributions to the Tribunal's regular budget.

research programmes, the establishment of Umusanzu Documentation centre among others.

The Registrar further indicated that the Tribunal believes that investment in training is timely and hopes that the knowledge given to the different professionals in documentary techniques and the use of the software WINISIS would be instrumental in strengthening the Rwandan Judicial system.

.....

## Outreach Activities in Rwanda: Capacity Building Programme

- **ICTR Hands over Jurisprudence to the Rwandan Judicial Authorities and Confers Certificates to Trainees**



*The Registrar, Mr. Adama Dieng with the Minister of Justice and Institutional Affairs, Mrs. Eda Mukabagwiza*

On 21 March 2005 the United Nations International Criminal Tribunal for Rwanda handed over the ICTR Case law to the Rwandan authorities and conferred certificates to 35 participants who completed the training conducted by the UN Tribunal on legal documentary techniques, use of library management software WINISIS and online legal research, at a ceremony

which took place at Hotel Novotel Umubano in Kigali.

*"The Tribunal with the support from the European Union shall embark on various training programmes and plans are in the pipeline to set up Documentation Centres country wide that would give Judicial Officers operating in Provinces and Districts accessibility to Legal information",* he pointed out.

The ICTR jurisprudence handed over officially to the Minister of Justice by the Registrar includes among others, the Case Law, all judgements delivered, CD-ROM containing judicial proceedings and other related information.

Speaking at the same ceremony, the Minister of Justice and Institutional Affairs Mrs Eda Mukabagwiza, who was the Chief Government guest, thanked the ICTR for its continued efforts in enhancing the cooperation between the UN Tribunal and Rwanda. She very much appreciated the training offered to the Rwandan legal officers and students saying that this would not only assist librarians in management but also enable them to protect efficiently legal archives. She expressed happiness towards the ICTR's plans to extend documentation centres in other parts of the country saying that this would be instrumental in the promotion of the rule of law in the country.

Addressing senior government officials, other invited guests and officials who completed the training, the Registrar of the ICTR, Mr. Adama DIENG, expressed his pleasure to be in Rwanda and appreciated the importance given to this ceremony by the government of Rwanda as illustrated by the presence of key government officials like the Minister of Foreign Affairs and Regional Cooperation and that of Justice and Institutional Affairs, a move he described as an indication that the government of Rwanda appreciates the work of the Tribunal.

She expressed appreciation on receiving the ICTR case law.

*"I am very happy with this case law. I am sure it will help our judicial officials and other Rwandans to know what is happening in Arusha and even to assist them in legal research and procedures. Mr. Registrar I wish that we receive such documents on a regular basis",* She added.

The Registrar added that the Tribunal faced many challenges as regards lack of enough resources to carry out additional activities regarding capacity building. He however mentioned that the Secretary-General of the United Nations had requested member states to offer support to these programmes.

The Ministry of justice requested the ICTR to continue with its support to the capacity building programme of the Rwandan judicial sector, so as to help the judicial officials to take over cases after the closure of the Tribunal in 2008.

He appreciated the current existing cooperation between the Government of Rwanda and the Tribunal that has enabled the ICTR to extend its activities in Rwanda. He went on to cite examples like capacity building support to the National University of Rwanda, support to legal students and lecturers especially in

This Ceremony was attended by different senior government and judicial officials including, the Minister of Foreign Affairs and Regional Cooperation, Dr. Charles MULIGANDE, the Minister of Justice and Institutional Affairs, Mrs. Eda MUKABAGWIZA, The Deputy President of the Supreme Court, Mr. Sam RUGEGE, The Deputy Prosecutor General, Mr. Martin NGOGA, the Rwanda's representative to the ICTR, Mr. Aloys MUTABINGWA, and the Deputy President of the Military Court, Col. Charles BAGABO.





## Outside Delegates Visit the ICTR in Arusha

The following VIPs, delegates and groups of students visited the ICTR during the month of March 2005:

1. 1 March 2005 - Opening of UNICTR 4th Courtroom - 5 Diplomatic Corps from Dar-es-Salaam visit to the Tribunal.
2. 2 March 2005 - Norwegian University College of Bergen.
3. 4 March 2005 - Danish Development Workers, MS-TCDC; Kolila Secondary School.
4. 6-7 March 2005 - Africa Union Delegation.
5. 7 March 2005 - German University of Trier; Appeal Judges from the Hague.
6. 11 March 2005 - Norwegian Levanger School.
7. 18 March 2005 - Global Alliance for Africa.
8. 21 March 2005 - Norwegian University of Science and Technology.
9. 22 March 2005 - Prime Primary School.
10. 23 March 2005 - Global Alliance for Africa.
11. 24 March 2005 - London Business School.
12. 29 March 2005 - University College of Lands and Architectural Studies (UCLAS), Dar Es salaam.
13. 31 March 2005 - Ohio-Great Lakes Consortium for International Training and Development.

.....

## HRPS Programme for Strengthening ICTR Staff Special Skills

- **First Aid Life Support Training in Arusha and Kigali**



A two-day First Aid Life Support Training, organised by the Training, Staff Welfare and Counselling Unit, of the Human Resources and Planning Section, Division of Administrative Support Services, was recently concluded at the Tribunal's offices in Arusha and Kigali. The program targeting Security Officers,

Nurses, Drivers and Zone Wardens was conducted in three separate groups, between the period 26 February to 13 March 2005. The objective of the workshop was to impart first aid skills to staff members whose work are involved in life support activities and are sometimes exposed to vulnerable and life threatening situations.

The following subjects were covered: Introduction to First Aid, Incident Management, Fractures and Sprains, Airway Obstruction, Gun Shot Wounds, Bandages and dressings, Unconscious Casualty, Bleeding, Burns and Scalds, Cardiopulmonary Resuscitation (CPR), Splinting techniques, Motor Vehicle Accidents, and Snake bites.

While approving the training program, the Registrar of the tribunal Mr. Adama Dieng noted that due the increase in insecurity and terrorist threats globally, the First Aid Life Support Training will be an important training program for those in life support activities including Security Officers, Nurses, and Drivers etc.



A total of 215 staff members from Arusha and Kigali participated in the First Aid Life Support Training.

.....

## Inter-Tribunals Cooperation

- **Sierra Leone (SCSL)**

From 28 February to 9 February 2005, Mr. Roland Amoussouga, Chief of External Relations and Strategic Planning Section (ERSPS) undertook a mission to Freetown (Sierra Leone) and to The Hague (The Netherlands) while Ms. Michelle Lee, Chief of the Division of Administrative Support Services and Mr. Danilo Carlos, Budget Officer were at The Hague as part of the Inter-Tribunal Cooperation project funded by the European Commission.

In Sierra Leone, the Chief of ERSPS reviewed the Outreach programme of the Special Court of Sierra (SCSL) and drew lessons from it for the benefit of the ICTR in-house programme. He also held extensive discussions with the ICTY and SCSL Heads of Information, Outreach Programme and Completion Strategy Legacy projects, and they conducted a critical review of the respective programmes of each Jurisdiction so as to identify best practices in each of these areas (Outreach-Communication at large-post completion legacy- to be compiled in a Joint



Comprehensive and Practical Manual, which can serve as guidance for establishment of any such future and similar programmes). They identified practical solutions and laid down the necessary steps and actions to be respectively undertaken by each Tribunal's representatives in the near future as part of the necessary follow up scheme in order to develop within an agreed timeframe a Joint Comprehensive and Practical Guidance Manual on Best and Standardized Practices, which shall go beyond the context of each of these jurisdictions and foster the goal of the overall Inter-Tribunal Cooperation's Project

• **The Hague (ICTY)**

At The Hague, Ms. Lee, Mr. Carlos and Mr. Amoussouga held various meetings with the ICTY Senior Officials to discuss issues relating to the best practices of the two Tribunals. They also participated in a video-link conference between Chief of Administration and the Budget Officer of the ICTY, Mr. Majola Bongani, ICTR Deputy Prosecutors, the ICTY Deputy Prosecutor, and the officials of the OPPBA-New York to discuss issues concerning the preparation of budget proposals for 2006-2007.

Mr. Amoussouga met with Mr. Christian Chartier, the ICTY Chief of Internal Communication and Publication and discussed about mutual matters of interest relating to communication strategic approach in reaching out to the Diplomatic group and the staff members including improvement of their collaboration. At the invitation of the ICTY Registrar, Mr. Amoussouga participated in a debriefing session regarding the mission to SCSL in Freetown in the presence of Mr. Laurence Slårko, Legal Officer in the ICTY Registry Legal Advisory Services in charge of Completion/Legacy matter, Mr. Liam McDowall, ICTY Chief of External Communication, Outreach and Website.

.....

**ICTR Judicial Archives Short-listed for the Inaugural UNESCO/Jikji Memory of the World Prize**



Judicial Archives of the ICTR

The ICTR Judicial Archives has been short-listed amongst 7 others of the total of 36 submitted nominations for this prestigious international prize. The 7 short-listed nominees for this first-ever UNESCO/Jikji Memory of the World Prize were selected for significant contributions to the preservation and accessibility of documentary heritage of international significance.

The Prize of US\$30 000 was created to commemorate the inscription of the Korean Buljo jikji simche yojeol, the oldest known book of movable metal print in the world, in the Memory of the World Register. The book was printed in two volumes: the first volume has yet to be found and the second volume is being kept in the National Library of France.

Buljo Jikji simche yojeol (referred to as Jikji) is the world's oldest text printed with metal type. Printed in 1377, it predates by 78 years the Gutenberg Bible of Germany. Jikji, was printed at Heungdeoksa Temple in Cheongju, Chungcheongbuk-do province, Korea. Jikji is a collection of Buddhist treatises and teachings compiled by the monk Baegun (1298-1374). It contains abstracts from the eulogies, songs, precepts and dialogues of great Buddhist monks and is intended for the instruction of Buddhist ascetics. Jikji simche is taken from a Buddhist writing and means *"when you meditate and see truly into a person's mind is when you come to know the mind of the Buddha."*



Second volume of the Jikji manuscript

The Prize will be given every two years to individuals or institutions that have made significant contributions to the preservation and accessibility of documentary heritage. Funded by the Republic of Korea through arrangements made with the Municipal Council of Cheongju City, this Prize was approved by UNESCO's Executive Board in April 2004.

Seven out of 36 nominations received from Member States for the first ever UNESCO /Jikji Memory of the World Prize were preliminarily selected by the Bureau of the Memory of the World Program during its meeting at UNESCO Headquarters in Paris on 22 March 2005.

The short-list includes the National Library of Australia, the National Library of the Czech Republic, the Departamento del Valle del Cauca (Colombia), the National Mission for Manuscripts (India), the Universidad Centroamericana (Nicaragua), Fathi Hassan Saleh (Egypt), and the International Criminal



Tribunal for Rwanda (ICTR) in Tanzania.

In the preliminary screening, the Memory of the World Bureau considered the following factors: the significance of the work already performed in the area of preservation of, and access to, documentary heritage that is outside of the institution's regular functions, long term preservation strategy, sustainability, and regional representation.

The short-listed candidates will be further considered in June this year in China by the members of the International Advisory Committee of the Memory of the World Program, who sit as the Jury of the Prize. On the recommendation of the Committee, the Director-General of UNESCO shall designate the prizewinner who receives a sum of \$ 30,000.

.....

## Judicial Proceedings

### • Appeals Chamber of the Tribunal Holds Session in Arusha

Between 7 March and 9 March 2005 the Appeals Chamber of the United Nations International Criminal Tribunal for Rwanda held sessions in Arusha. On 7 March 2005 the chamber heard the appeal of *Juvénal Kajelijeli* against his conviction for genocide and other crimes, and reserved judgement. Three other appeal cases were the subject of status conferences being held on 8 March and 9 March 2005.

The Chamber held status conferences on 8 March 2005 in the cases of *Emmanuel Ndindabahizi*, former Minister of Finance who, on 15 July 2004, was sentenced by Trial Chamber I to imprisonment for remainder of his life, and *Sylvestre Gacumbitsi*, former Bourgmestre of Rurumo who, on 17 June 2004, was sentenced by Trial Chamber III to 30 years imprisonment.

In the *Kajelijeli* case, the Appeals Chamber dismissed a Defence motion for the admission of additional evidence in the case of the former Bourgmestre of Mukingo who, on 1 December 2003, was sentenced to imprisonment for the remainder of his life by Trial Chamber II of the Tribunal.

In its ruling, the Appeals Chamber concurred with the Prosecution that the motion was filed late and that the appellant had not shown good cause for the late filing. It added that the proposed additional evidence was available at trial and is therefore inadmissible on that ground. The Chamber found also that the appellant failed to demonstrate that the evidence available to him at trial was nevertheless admissible on appeal because it would have affected the verdict.

On 9 March 2005, the Appeals Chamber held another status conference in the case of *Nahimana et al.* formerly referred to as the 'Media Case' involving *Ferdinand Nahimana*, former director of RTLM radio, sentenced to imprisonment for the remainder of his

life, *Jean Bosco Barayagwiza*, former Director of Political Affairs in the Ministry of Foreign Affairs, sentenced to 35 years imprisonment, and *Hassan Ngeze*, former editor of Kangura newspaper, sentenced to imprisonment for the remainder of his life. The sentences were delivered by Trial Chamber I on 3 December 2003.

The Appeals Chamber was composed of judges Fausto Pocar (Italy), presiding, Mohamed Shahabuddeen (Guyana), Florence Mumba (Zambia), Wolfgang Schomburg (Germany), and Inés Weinberg de Roca (Argentina).

### • Rutaganira Sentenced to Six Years Imprisonment



On 14 March 2005 the International Criminal Tribunal for Rwanda (ICTR) sentenced *Vincent Rutaganira* to 6 years imprisonment. Trial Chamber III found *Rutaganira* guilty of crime against humanity (extermination) for having

between 14 and 17 April 1994 or thereabouts, aided and abetted by omission the attacks at Mubuga church (Gishyita commune) that resulted in thousands of deaths and numerous injuries to the Tutsi refugees within the church.

In a 6 May 1996 amended indictment, *Rutaganira* was charged with seven counts including genocide, conspiracy to commit genocide, murder, extermination and other inhuman acts, serious violations of the Article 3 Common to the Geneva Conventions and serious violations of Additional Protocol II.

In an agreement with the Prosecutor on 7 December 2004, *Rutaganira* pleaded guilty to Count 16 of the indictment charging him with extermination as an accomplice by omission to a crime against humanity. The Trial Chamber granted the Prosecutor's request under the agreement and acquitted him on the other charges for lack of evidence.

The Trial Chamber found that in his position as a councilor in Gishyita commune, *Rutaganira* had knowledge of the planned massacre, was a channel between the population and the local political structure and held moral authority over the population. The Chamber found him guilty because he did not use his authority to prevent the population from participating in attacks on Tutsi nor did he provide protection and assistance to the victims.

In handing down the sentence of 6 years, the Trial Chamber took into account several mitigating circumstances including *Rutaganira's* voluntary surrender to the Tribunal in March 2002, his plea of guilty, his good behavior while in detention, his advanced age of 60 and his ill health.

The Chamber also considered factors in favor of *Rutaganira's* chances for rehabilitation including his expression of remorse. The Chamber also considered that *Rutaganira* gave assistance to some victims in





Mubuga sector, that he had no previous criminal record, he did not actively participate in the killings and, lastly, restraint.

The Chamber ordered that *Rutaganira* shall remain in the custody of the Tribunal until adequate arrangements have been made for his transfer to the State where he will serve his sentence. It also ruled that *Rutaganira* is entitled to credit for the period during which he was detained in custody following his arrest on 4 March 2002, and for any additional time that he will spend in custody pending appeal, if any.

The Trial Chamber III was composed of Presiding Judge Andresia Vaz (Senegal), Judge Flavia Lattanzi (Italy) and Judge Florence Rita Arrey (Cameroon).

The Prosecution team was led by Mr. Charles Adeogun-Phillips. *Mr. Rutaganira* was represented by Mr. François Roux from France. ICTR Prosecutor, Mr. Hassan B. Jallow was also present at the sentencing hearing.

#### • Defence Rests in Aloys Simba Case



The Defence rested its case on 29 March 2005 in the trial of *Aloys Simba*, a retired Rwandan Army Lt. Colonel and former Member of Parliament. The Accused is charged with four counts of genocide and crimes against humanity based on his alleged role in organizing and executing massacres in Gikongoro and Butare Prefectures. *Simba* pleaded not guilty to all the charges against him.

The trial opened on 30 August 2004 before Trial Chamber I, composed of Judges Erik Møse of Norway (presiding), Sergei Alekseevich Egorov of Russia, and Dennis Charles Michael Byron of St. Kitts and Nevis. The Chamber heard 16 Prosecution witnesses over 29 trial days. The Prosecution closed its case on 10 November 2004.

The Defence case commenced on 13 December 2004. The Chamber heard 20 Defence witnesses, including the Accused, over 22 trial days. Final written submissions will be filed on 22 June 2005. Closing arguments are scheduled for 7-8 July 2005.

*Aloys Simba* was arrested in Senegal on 27 November 2001 and transferred to the United Nations Detention Facilities in Arusha on 11 March 2002. He is represented by Mr. Sadikou Alao of Benin and Ms. Beth Lyons of the United States. The Prosecution is headed by Mr. Richard Karegyesa of Uganda.

The Tribunal has handed down judgements involving 24 persons. The trials of 25 more are on-going.

.....

## News from The Hague

### • Activities of the Appeals Chamber

Following the issuance of two orders respectively dated 15 June 2004 and 09 February 2005 by Trial Chamber I, the ICTR, Appeals Chamber Support Unit in The Hague organised and co-ordinated a deposition of two witnesses by video-link from The Hague to Arusha in the *Simba* case from 21 to 25 February 2005.

The ICTR Appeals Chamber sat in Arusha on 7 March 2005 to hear the appeal from judgement in *Kajelijeli v. The Prosecutor*.

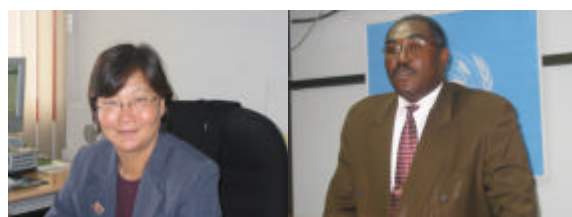
On 8 March 2005, Judge Schomburg, sitting in Arusha as Pre-Appeal Judge, held a Status Conference in the *Ndindabahizi* case. Because Defence Counsel was not available to travel to Arusha to attend the Conference, he took part in the proceedings by telephone link from Paris.

On 8 and 9 March 2005, Judge Weinberg de Roca, sitting in Arusha as Pre-Appeal Judge, held Status Conferences in the *Gacumbitsi* and *Media* cases, respectively.

The Appeals Chamber is currently preparing Judgements in the *Semanza* and *Kajelijeli* cases. Additionally, appeals from judgement are pending in five other cases (*Media*, *Kamuhanda*, *Cyangugu*, *Gacumbitsi* and *Ndindabahizi*). The Appeals Chamber is also seized of a request for review in the *Niyitegeka* case. During March, the Chamber issued six Orders and Decisions, including a Decision on a request for leave to present additional evidence in the *Kajelijeli* case.

The Chamber's next sitting in Arusha will take place in May.

### • Visit of the ICTR Chief of DASS and Chief of ERSPS to ICTR ACSU at The Hague



Ms. Michelle Lee and Mr. Roland Amoussouga met with their colleagues of The Hague Appeals Chamber Support Unit of the ICTR in order to discuss best practices for improvement of their collaboration and operational communication with other ICTR Sections at the Headquarters in Arusha. They reviewed the strategic approaches that can assist in streamlining in a more coordinated manner the smooth and efficient running of their operations at The Hague. A series of objectives and plan of action was agreed upon.



*Meeting with Members of the ICTR Appeals Chamber Support Unit at The Hague, Mr. Roland Amaussouga (centre) is flanked by, from left to right, Mr. Charles Zama, Reviser, Ms. Fatou Fall, Translator, Mr. Donastus Sinsai, Translator, Ms. Rosette Muzigo-morrison, Associate Legal Officer, Ms. Karoline Kinabo, Administrative Assistant and Mr. Koffi Kumelio Afande, OIC, ICTR Appeals Chamber Support Unit*

**• Composition of Staff Members of the ICTR Appeals Chamber Support Unit (ACSU), The Hague, in alphabetical order**

- **Koffi Kumelio A. Afande**, Legal Officer, OIC, ICTR, Appeals Chamber Support Unit
- **Roman Boed**, Legal Officer
- **François Boudreault**, Associate Legal Officer
- **Rhys Burris**, Legal Officer, Head, ACSU (currently on extended leave)
- **Fatou Fall**, Translator/Interpreter
- **Laetitia Husson**, Associate Legal Officer
- **Caroline Kinabo**, Administrative Assistant
- **Moussa Mansaly**, Translator/Interpreter
- **Rosette Muzigo-Morrison**, Associate Legal Officer
- **Donatus Sinsai**, Translator/Interpreter
- **Justin Ssebudde**, Translator/Interpreter
- **Jamie Williamson**, Legal Officer, Coordinator, Chambers Support Sub-Unit
- **Charles Zama**, Reviser, Coordinator, Language Services Sub-Unit

**JUDICIAL DECISIONS OF ICTR RENDERED BETWEEN 1 March 2005 and 31 March 2005**

| Date       | Case Name        | Record Number      | Chamber | Title   |
|------------|------------------|--------------------|---------|---|
| 01/03/2005 | Bizimungu et al. | ICTR-99-50-0908/2  | TC 2    | DECISION ON PROSPER MUGIRANEZA'S MOTION TO REQUIRE STRICT COMPLIANCE WITH RULE 66 (A) (ii)  |
| 01/03/2005 | Bizimungu et al  | ICTR-99-50-0825/2  | TC 2    | DECISION RELATIVE A LA REQUETE DU PROCUREUR EN CERTIFICATION D'APPEL CONTRE LA DECISION RENDUE PAR LA CHAMBRE LE 5 FEVRIER 2004   |
| 09/03/2005 | Bizimungu et al  | ICTR-99-50-0404    | TC 2    | DECISION ON CASIMIR BIZIMUNGU MOTION FOR CERTIFICATION TO APPEAL FROM THE TC'S DECISION OF 3 SEPTEMBER 2004 CONCERNING RULE 73 bis OF THE RULES AND FOR OTHER APPROPRIATE RELIEF                  |
| 07/03/2005 | Kajelijeli       | ICTR-98-44A-0876   | AC      | DECISION ON SECOND DEFENCE MOTION FOR THE ADMISSION OF ADDITIONAL EVIDENCE PURSUANT TO RULE 115 OF THE RULES OF PROCEDURE AND EVIDENCE  |
| 05/03/2005 | Kajelijeli       | ICTR-98-44A-0868/2 | AC      | DECISION TO VARY THE DECISION ON APPELLANT'S URGENT MOTION FOR TRANSLATION AND INTERPRETATION FOR THE APPEAL HEARING  |
| 31/03/2005 | Karempera et al  | ICTR-98-44-1724    | TC 3    | DECISION ON JOSEPH NZIRORERA'S APPLICATION FOR CERTIFICATION TO APPEAL THE DECISION DENYING HIS REQUEST FOR COOPERATION TO GOVERNMENT OF FRANCE RULE 73(B) OF THE RULES OF PROCEDURE AND EVIDENCE |





| Date       | Case Name                   | Record Number     | Chamber                 | Title  |
|------------|-----------------------------|-------------------|-------------------------|--|
| 31/03/2005 | Karemera et al              | ICTR-98-44-1723   | TC 3                    | DECISION ON PROSECUTION'S MOTION TO RENEW AND EXTEND THE TRANSFER OF DETAINED PROSECUTION WITNESS OMAR SERUSHAGO RULE 90bis OF THE RULES OF PROCEDURE AND EVIDENCE                     |
| 21/03/2005 | Karemera et al              | ICTR-98-44-1709   |                         | DECISION OF DENIAL OF MR. CHARLES ROACH'S REQUEST FOR WITHDRAWAL OF CO-COUNSEL MR. FREDERIC WEYL AND OF WITHDRAWAL OF MR. ROACH AS LEAD COUNSEL FOR THE ACCUSED MATHIEU NGIRUMPATSE    |
| 22/03/2005 | Karemera et al              | ICTR-98-44-1708   | TC 3                    | DECISION ON MOTION TO REASSIGN CASE TO DIFFERENT TC  |
| 22/03/2005 | Karemera et al              | ICTR-98-44-1707   | TC 3                    | DECISION RELATIVE A LA REQUETE DE JOSEPH NZIRORERA AUX FINS DE REJETER L'ACTE D'ACCUSATION POUR POURSUITES DISCRIMINATOIRES  |
| 03/03/2005 | Karemera et al              | ICTR-98-44-1683   | Office of the Registrar | REGISTRAR'S DECISION ON THE APPEAL BY PETER ROBINSON AGAINST THE DECISION OF DEFENCE COUNSEL AND DETENTION MANAGEMENT SECTION REGARDING THE BILL FOR THE MONTH OF MAY 2004             |
| 03/03/2005 | Karemera et al              | ICTR-98-44-1681   | TC 3                    | ORDER RULES 54 AND 90BIS OF THE RULES OF PROCEDURE AND EVIDENCE  |
| 14/03/2005 | Nyiramasuhuko et al.        | ICTR-98-42-1394   | TC 2                    | DECISION ON PROSECUTOR'S MOTION REQUESTING RECIPROCAL INSPECTION OF THE MATERIALS OF THE ACCUSED PERSONS PURSUANT TO RULE 67(C) OF THE RULES OF PROCEDURE AND EVIDENCE                 |
| 01/03/2005 | Nyiramasuhuko et al         | ICTR-98-42-1390   | TC 2                    | DECISION ON THE CONFIDENTIAL PROSECUTOR'S MOTION TO BE SERVED WITH PARTICULARS OF ALIBI PURSUANT TO RULE 67 (A)(ii)(a)   |
| 24/03/2005 | [Military I] Bagosora et al | ICTR-98-41-2094   | TC 1                    | DECISION ON REQUEST FOR CERTIFICATION OF APPEAL CONCERNING PRIVATE REPRESENTATION  |
| 24/03/2005 | [Military I] Bagosora et al | ICTR-98-41-2093   | TC 1                    | DECISION ON REQUEST FOR SEVERANCE BY ACCUSED KABILIGI  |
| 24/03/2005 | [Military I] Bagosora et al | ICTR-98-41-2092/2 | TC 1                    | DECISION RELATIVE A LA DEMANDE DE MAÎTRE PAUL SKOLNIK EN REVISION DE LA DÉCISION DE CHAMBRE DEMANDANT AU GREFFIER DE LE COMMETTRE D'OFFICE COMME CONSEIL PRINCIPAL DE GRATIEN KABILIGI |



| Date       | Case Name                      | Record Number     | Chamber                 | Title  |
|------------|--------------------------------|-------------------|-------------------------|--|
| 24/03/2005 | [Military I]<br>Bagosora et al | ICTR-98-41-2092/1 | TC 1                    | DECISION ON MAITRE PAUL SKOLNIK'S APPLICATION FOR RECONSIDERATION OF THE CHAMBER'S DECISION TO INSTRUCT THE REGISTRAR TO ASSIGN HIM AS LEAD COUNSEL FOR GRATIEN KABILIGI           |
| 16/03/2005 | [Military I]<br>Bagosora et al | ICTR-98-41-2077   | Office of the Registrar | REGISTRAR'S DECISION ON THE APPEAL BY RAPHAEL CONSTANT AGAINST THE DECISION OF DEFENCE COUNSEL AND DETENTION MANAGEMENT SECTION REGARDING THE BILL FOR THE MONTH OF SEPTEMBER 2004 |
| 04/03/2005 | [Military I]<br>Bagosora et al | ICTR-98-41-2060   | TC 1                    | DECISION RELATIVE A LA DEMANDE DE GRATIEN KABILIGI AUX FINS DE REPRESENTATION A TITRE PRIVE  |
| 04/03/2005 | [Military I]<br>Bagosora et al | ICTR-98-41-2058   | TC 1                    | DECISION ON REQUEST FOR PRIVATE REPRESENTATION OF GRATIEN KABILIGI   |
| 18/03/2005 | Renzaho                        | ICTR-97-31-0090   | TC 2                    | DECISION SUR LA REQUETE DU PROCUREUR DEMANDANT L'AUTORISATION DE DEPOSER UN ACTE D'ACCUSATION MODIFIE  |
| 01/03/2005 | Nyiramasuhuko                  | ICTR-97-21-0717   | TC 2                    | DECISION ON NYIRAMASUHUKO'S STRICTLY CONFIDENTIAL EX-PARTE UNDER SEAL MOTION FOR ADDITIONAL PROTECTIVE MEASURES FOR SOME DEFENCE WITNESSES   |
| 08/03/2005 | Ntahobali                      | ICTR-97-21-0693/2 | TC 2                    | DÉCISION RELATIVE À LA REQUÊTE DE NTAHOBALI EN SÉPARATION DE PROCÈS  |
| 14/03/2005 | Rutaganira                     | ICTR-95-1C-0022   | TC 3                    | JUGEMENT PORTANT CONDAMNATION  |
| 16/03/2005 | Nzabirinda                     | ICTR-01-77-0061/2 | TC 2                    | DECISION RELATIVE A LA DEMANDE DU PROCUREUR TENDANT AU RETRAIT DE SA REQUETE AUX FINS DE LA TENUE DU PROCES AU RWANDA  |
| 03/03/2005 | Nzabirinda                     | ICTR-01-77-0061/1 | TC 2                    | DECISION ON PROSECUTION'S REQUEST TO WITHDRAW MOTION FOR TRIAL IN RWANDA   |
| 14/03/2005 | Simba                          | ICTR-01-76-0341   | TC 1                    | DECISION ON THE DEFENCE MOTION FOR A SUBPOENA  |
| 02/03/2005 | Zigiranyirazo                  | ICTR-01-73-0111   | TC 3                    | DECISION ON THE PROSECUTION CONDITIONAL MOTION FOR LEAVE TO AMEND THE INDICTMENT AND ON THE DEFENCE COUNTER-MOTION OBJECTING TO THE RECAST INDICTMENT                              |
| 01/03/2005 | Seromba                        | ICTR-01-66-0165   | TC 3                    | DECISION RELATIVE A LA REQUETE DE LA DEFENSE AUX FINS DE DELAI (ARTICLES 54 ET 73 DU REGLEMENT DE PROCEDURE ET DE PREUVE)  |



| Date       | Case Name            | Record Number     | Chamber | Title  |
|------------|----------------------|-------------------|---------|--|
| 04/03/2005 | Mpambara             | ICTR-01-65-0082   | TC 1    | DECISION ON THE PROSECUTION'S REQUEST FOR LEAVE TO FILE AN AMENDED INDICTMENT  |
| 18/03/2005 | Ndindiliyimana et al | ICTR-00-56-0408   | TC 2    | DECISION ON DEFENCE REQUEST TO CONFIRM THAT WITNESS YAOC IS A POTENTIAL WITNESS FOR THE DEFENCE AND TO PROHIBIT THE PROSECUTION FROM CONTACTING HER  |
| 24/03/2005 | Muvunyi              | ICTR-00-55A-0064  | TC 2    | DECISION ON THE PROSECUTOR'S MOTION FOR ADMISSION OF TESTIMONY OF EXPERT WITNESS RULES 99 BIS OF THE RULES   |
| 24/03/2005 | Muvunyi              | ICTR-00-55A-0063  | TC 2    | DECISION ON PROSECUTOR'S VERY URGENT MOTION PURSUANT TO RULE 73BIS (E) FOR LEAVE TO VARY THE PROSECUTOR'S LIST OF WITNESSES FILED ON 19 JANUARY 2005   |
| 16/03/2005 | Muvunyi              | ICTR-00-55A-0057  | TC 2    | DECISION ON THE PROSECUTOR'S MOTION PURSUANT TO RULE 73 (B) FOR CERTIFICATION TO APPEAL THE DECISION DENYING LEAVE TO FILE AN AMENDED INDICTMENT AND FOR STAY OF PROCEEDINGS   |
| 05/03/2005 | Muvunyi              | ICTR-00-55-0142/2 | TC 2    | DECISION RELATIVE AUX REQUETES DE LA DEFENSE INTITULEES ACCUSE THARCISSE MUVUNYI'S MOTION FOR DISCLOSURE OF EXCULPATORY AND OTHER RELEVANT MATERIAL ET ACCUSE THARCISSE MUVUNYI'S MOTION FOR RELIEF PURSUANT TO RULE 66 AND RULE 5 |
| 05/03/2005 | Muvunyi              | ICTR-00-55-0142/1 | TC 2    | DECISION ON THARCISSE MUVUNYI'S MOTIONS FOR DISCLOSURE OF EXCULPATORY AND OTHER RELEVANT MATERIAL AND FOR RELIEF PURSUANT TO RULES 5 OF THE RULES RULES 66 AND 68 OF THE RULES   |

.....

**Message of Condolences from the Registrar to Judge Reddy**

Dear Honorable Judge Reddy,

It is with deep regret and sorrow that I have come to learn of the sudden demise of your son. On behalf of the ICTR management, staff and my own self, I offer our heartfelt condolences and sincere sympathy to your good self and your family.

We, at the ICTR share your grief and painful loss and pray to the Almighty to give you the strength and fortitude to bear this great and untimely loss during this very difficult and tiring period.

May the soul of your late son rest in Eternal Peace.