

ICTR Newsletter

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United Nations International Criminal Tribunal for Rwanda

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Rwanda Signs Agreement on Enforcement of ICTR Sentences

The Government of Rwanda and the United Nations signed on 4 March 2008 in Kigali, Rwanda, an agreement on the enforcement of sentences imposed by the International Criminal Tribunal for Rwanda (ICTR). The agreement was signed by Dr. Charles Murigande, Minister of Foreign Affairs and Regional Cooperation, on behalf of the Government of Rwanda and by Mr. Adama Dieng, United Nations Assistant Secretary-General and Registrar of the ICTR, on behalf of the United Nations.

Rwanda has become the seventh country designated to receive persons convicted by the International Criminal Tribunal for Rwanda (ICTR) for the purpose of serving their sentences.

The Statute of the ICTR provides for the terms of imprisonment imposed on persons sentenced by the Tribunal to be served in



From left to right: Mr. Adama Dieng, Mr. Roland Amoussouga, Dr. Charles Murigande, Mr. Tharcisse Karugarama and Mr. Martin Ngoga

Rwanda or in any State which has indicated its willingness to the Security Council to assist the Tribunal in this way. Rwanda joins Mali, the Republic of Benin, Swaziland, France, Italy and Sweden as countries which signed similar agreements on the enforcement of such sentences.

Dr. Charles Murigande pointed out that the Government of Rwanda welcomes this latest development which is yet another sign for the future good cooperation between Rwanda and the ICTR. The Minister said that the agreement is significant towards the peace and reconciliation process in the country.

Mr. Adama Dieng said that as far as the enforcement of sentences is concerned, the signing of the agreement marked a milestone in the cooperation between ICTR and Rwanda. He acknowledged that the country had made significant progress in terms of the standard of prisons to accommodate ICTR's convicts and the agreement appears as the last brick completing

the legal framework which qualifies Rwanda for the enforcement of sentences handed down by ICTR. Mr. Dieng added that he had no doubt that the Rwandan Government will take the necessary legal steps to enable the rapid implementation of this agreement.

The Ceremony was witnessed among others; by Rwanda's Ambassador to the United Nations, Mr. Joseph Nsengimana, the Minister of Justice, Mr. Tharcisse Karugarama, the Prosecutor General, Mr. Martin Ngoga, the UNDP Resident Coordinator ad interim in Rwanda, Ms. Elisabeth Balapa Representative of the WFP, Rwanda's Representative to the ICTR, Mr. Aloys Mutabingwa, Mr. Roland Amoussouga, ICTR Spokesman and Chief of External Relations and Strategic Planning Section, Mr. Mandiaye Niang, Special Assistant to the Registrar, Mr. Mamoudou Touré, Chief of Administration ICTR Kigali, Mr. Mohamed Ayat and Mr. David Wagala of the Office of the Prosecutor in Kigali.

Contents

ICTR Judicial Activities.....	2
ICTR Judicial Calendar	3
ICTR Judicial Decisions	6
Stakeholders' Renewed Interest	7
Capacity Building.....	7
News from Kigali	8
News from The Hague	8
International Women's Day 2008	8
African Courts should Learn Lessons from Rwanda Genocide.....	9
Fundraising Fashion Show.....	10

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ICTR Judicial Activities

- **Vincent Rutaganira Released After Completing his Sentence**



Vincent Rutaganira, who was sentenced on 14 March 2005 to 6 years' imprisonment after being convicted of crimes against humanity (extermination) for having aided and abetted by omission the attacks at Mubuga church (Gishyita commune) that resulted in thousands of deaths among the Tutsi refugees within the church, was

released from the United Nation Detention Facility on Sunday 2 March 2008.

Vincent Rutaganira was elected *Conseiller* for Mubuga secteur in 1985, and acted as *Conseiller* until 1994.

Rutaganira pleaded guilty to one count of an indictment charging him with extermination as an accomplice by omission to a crime against humanity. The Trial Chamber granted the Prosecutor's request to dismiss all other charges.

In handing down the sentence, Trial Chamber III, then composed of Presiding Judge Andresia Vaz (Senegal), Judge Flavia Lattanzi (Italy) and Judge Florence Rita Arrey (Cameroon) took into account several mitigating circumstances including Rutaganira's voluntary surrender to the Tribunal in March 2002, his guilty plea, his good behavior while in detention, his advanced age of 60 and his ill health. It also ruled that Rutaganira was entitled to credit for the period during which he was detained in custody following his arrest on 4 March 2002.

In sentencing him, the Trial chamber said: *"The Accused knew that during the disturbances that occurred earlier in Kibuye préfecture, Tutsi civilians used to seek refuge in churches, and especially that between 8 and 15 April 1994, thousands of Tutsi civilians took refuge in the Mubuga church. Moreover, he admitted that between 14 April and about 17 April 1994, the Tutsi that congregated in the said church were attacked and that the attacks resulted in thousands of deaths and numerous injuries to the men, women and children within the church. Before the attacks, the Accused saw the attackers assembling; the said attackers included armed Hutu*

civilians, members of the communal police and national gendarmerie ... In spite of his position and knowledge of the above-mentioned facts, the Accused took no measures to protect the Tutsi."

- **Appeals Chamber Increases Athanase Seromba's Sentence to Life Imprisonment**



The Appeals Chamber of the International Criminal Tribunal for Rwanda on 12 March 2008 overturned the conviction of Athanase Seromba for aiding and abetting genocide and extermination as a crime against humanity

and substituted convictions for committing genocide and extermination as a crime against humanity for his role in the destruction of the church in Nyange Parish causing the death of approximately 1500 Tutsi refugees sheltering inside.

The Appeals Chamber agreed to increase Seromba's sentence from 15 years imprisonment to imprisonment for the remainder of his life. Judge Liu Daqun dissented.

The Appeals Chamber composed of Judges Mohamed Shahabuddeen, presiding, Patrick Robinson, Liu Daqun, Theodor Meron and Wolfgang Schomburg unanimously upheld Athanase Seromba's conviction for aiding and abetting genocide based on the expulsion of Tutsi refugees and employees from the church, some of whom were subsequently killed. It quashed the finding of the Trial Chamber that Seromba aided and abetted genocide by substantially contributing to serious bodily and mental harm to Tutsi refugees by prohibiting them from getting food from the Nyange Parish banana plantation and by other acts. The Appeals Chamber unanimously dismissed all other grounds of appeal.

Athanase Seromba was a Catholic priest at Nyange parish, Kivumu Commune, Kibuye Prefecture. His trial commenced on 20 September 2004. He was convicted and sentenced by Trial Chamber III in its judgment rendered on 13 December 2006. His appeal, together with that of the Prosecution, was heard in Arusha on 26 November 2007.

At the time of his indictment, Seromba was working as a priest under a false identity in two parishes near Florence, Italy. He was arrested and detained in Arusha after his surrender to the Tribunal on 6 February 2002.

Athanase Seromba is to remain in the UN Detention Facility pending his transfer to the country in which he will serve his sentence.



Judicial Calendar - April 2008

Case	Bench	Prosecution	Defense (Lead Counsel only)	Date	Court room
Karemera et al E. Karemera M. Ngirumpatse J. Nzirorera	Judges Byron (Pres.), Kam, Joensen	D. Webster, A. Franksan-Wallace, I. Morley	D. Diagne C. Hounkpatin P. Robinson	7 – 30 April 2008 Resumption of trial Commencement of Defense Case for E. Karemera	Laïty Kama
Nyiramasuhuko et al. E. Ndayambaje J. Kanyabashi P. Nyiramasuhuko A. Ntahobali S. Nsabimana A. Nteziryayo	Judges Sekule (Pres.), Ramarosan, Bossa	H. Makwaia, A. Whest A. Alexis-Windsor	P. Boulé M. Marchand N. Bergevin N. Marquis J. Kadji F. Pacere	14 – 30 April 2008 Defense for J. Kanyabashi (continued)	CR II
Bizimungu et al. C. Bizimungu J. Mugenzi J-C. Bicamumpaka P. Mugiraneza	Judges Khan (Pres.), Muthoga, Short	P. Ng'arua I. Babajide J. Bwonwonga E. Bazawule S. Rajapaksa O. De Schutter	M. St. Laurent B. Gumpert M. Croteau T. Moran	14 – 30 April 2008 Defense for J. Mugiraneza (continued)	CR III
Kalimanzira	To be announced	C. Graham, S. Jegede M. Sefon A. Tambadou F. Mushi	A. Vercken A. Guisse	28 April 2008 Commencement of trial	CR IV
OTHERS					
Simon Bikindi	Judges Weinberg, Arrey, Fremr	W. Egbe, S. Khan, V. Wright	A. O'Shea	Site visit –Rwanda 14-18 April 2008	
Yussuf Munyakazi	Judges Weinberg (Pres.), Muthoga, Fremr	H. Jallow, B. Majola, R. Karag	J. Mwaikusa	Hearing on Rule 11 <i>bis</i> application 24 April 2008	

Other Landmark Facts for the Month of April 2008

After the Eastern break, the Trial Chambers of the Tribunal are going to resume trial activity at full occupancy. Details as to each Trial Chamber activity are provided hereinafter.

• Trial Chamber I

Ongoing case

The Prosecution case in the case of Hormisdas Nsengimana was completed on 7 February 2008. The Defence case will commence on 2 June 2008. Since January 2008, the Chamber has delivered five decisions, including a decision granting a site visit in Rwanda. The Chamber is currently seized of 2 motions.

Cases where judgement delivery is awaited

Bagosora et al.

Trial Chamber I is currently engaged in judgment drafting in the *Bagosora et al.* Three motions are currently pending in the *Bagosora et al.* case. The date of delivery of the judgment will be announced later.

Renzaho

The defence case was completed in September 2007. The closing arguments were heard during 14-15 February 2008. The Chamber is currently deliberating. Since January 2008, the Chamber has delivered 2 written and 1 oral decision.

Cases where referral to a domestic jurisdiction is pending

Kanyarukiga

On 7 September 2007, the Prosecution filed a request for referral of the case of Gaspard Kanyarukiga to Rwanda. On 2 October 2007, a bench comprised of Judges Møse, Egorov and Arrey was designated for the purpose of this referral.

In addition to numerous other submissions and responses from the parties, a number of requests for amicus curiae status were also filed in this case. The Chamber rendered a decision on the first of these on 9 November 2007, granting amicus status to the Republic of Rwanda. On 22 February 2008, the Chamber rendered five further amicus decisions, granting amicus curiae status to Human Rights Watch, the Kigali Bar Association and the International criminal Defence Attorney's Association (ICDAA) and



denying it in the case of the genocide survivor's organisations Ibuka and Avega, ADAD and three other non-governmental organisations.

Since January 2008, the Chamber has delivered 6 written decisions. There are 3 motions under deliberations.

Pre-Trial Matters

In addition, five cases in the pre-trial stage are assigned to Trial Chamber I (*Munyakazi, Gatete, Kanyarukiga, Setako* and *Kalimanzira*).

In the *Setako* case, since January 2008, the Chamber has delivered 1 written decision. There are currently 3 pending motions. In the *Kalimanzira* case, the Chamber has delivered one decision and is currently considering one motion.

The cases of *Munyakazi, Gatete* and *Kanyarukiga* are subject to Rule 11bis referral motions to Rwanda before different Trial Chambers. Trial Chamber I is overseeing the trial-readiness of those cases in parallel with these Rule 11 bis proceedings in case trial in Arusha is ultimately required.

Furthermore, since January 2008, Trial Chamber I has delivered two written decisions in the case of *Ndindabahizi* and *Muhimana et al.*, respectively (access to closed session testimony).

• **Trial Chamber II**

Ongoing trials

Nyiramasuhuko et al.

The trial in this case was initially scheduled from 21 January 2008 to 20 March 2008. The Chamber sat 9 trial weeks without any interruption from 21 January 2008 until 20 March 2008. Upon the Defence request, the Chamber adjourned on 20 March 2008 in light of the fact that the last week of the scheduled proceedings started with two official holidays (24 and 25 March 2008). Therefore, the Chamber did not sit for two days initially scheduled on the judicial calendar (26 and 27 March 2008). The Chamber deliberated on one motion and issued one decision.

The Chamber will resume the proceedings on 14 April 2008 with the continuation of the Defence case for *Kanyabashi*. In addition, from 22 April 2008, the Chamber will hear the testimony of the last Defence witness for *Ntahobali* via videolink.

Since January 2008, the Chamber has delivered 2 written decisions and one substantive oral decision. The Chamber is currently seized of four motions, including three requests for variation of the witness list for *Kanyabashi* and *Ndayambaje* cases and a request from *Nyiramasuhuko* for the re-opening of her case.

Bizimungu et al.

The proceedings were originally scheduled to run continuously between 28 January 2008 and 27 March 2008 (inclusive), with the Chamber sitting full days from Monday to Thursday. However, a number of sitting days were lost between 28 January and 14

February (7 days in total) due to the unavailability of witnesses for the *Bicamumpaka* Defence, and the dropping of several witnesses from the *Bicamumpaka* Defence's Witness List. Further, upon joint application by some of the Parties, the Chamber decided to adjourn earlier than scheduled (on 20 March 2008) in light of the official UN holidays on 21, 24 and 25 March. Due to the unavailability of *Mugiraneza* Defence witnesses in the last week of the session, the Chamber adjourned on 18 March.

The Chamber will resume the proceedings on 14 April 2008 with the continuation of the defence case for the 4th and final accused (*Mugiraneza*). The Chamber will commence the next trial session recalling first one Prosecution witness for further cross-examination. It is anticipated that the Chamber will sit continuously until the summer judicial recess in view of completing the totality of the evidence in the case.

Since January 2008, the Chamber has rendered more than 20 written decisions. The most significant of these includes the ordering of the taking of a deposition of the testimony of a Rwandan witness who was gravely ill and unfit to travel. The deposition was duly taken pursuant to that order. The Chamber also rendered decisions and made orders concerning the scheduling and ongoing management of the case, including certain orders for the reduction of the *Mugiraneza* Defence's Witness List.

The Chamber is currently deliberating on five motions pending before it. These include an application by the Defence for *Mugiraneza* for the admission into evidence of some 36 written statements in lieu of those witnesses testifying orally. Further, the Defence for *Mugenzi* has brought an application to reopen its defence on the basis of certain materials recently disclosed to it by the Prosecution which contain certain allegations about the involvement and role of the Rwandan Patriotic Front in the 1994 genocide.

Military II

The proceedings in *Military II* are currently in recess and will resume on 26 May 2008 with the continuation of *Ndindiliyimana* case. Since January 2008, the Chamber has delivered 5 written decisions. In a Decision of 31 Jan 2008, *Nzuwonemeye* was authorized to add 5 witnesses, to withdraw 24 witnesses and ordered the defence to reduce its witness list as a whole.

Seven motions are currently pending before the Chamber, including motions by defence teams alleging a violation by the Prosecutor of his disclosure obligations.

Cases where judgement delivery is awaited

Rukundo

The defence case was completed in October 2007 after presenting 32 witnesses. The closing arguments were heard on 20 February 2008. The Closing arguments were initially scheduled for the end of January/beginning of February 2008 but were postponed based upon a Defence request. The Chamber is currently deliberating.



- **Trial Chamber III**

New trial to start

Kalimanzira

The trial of Callixte Kalimanzira is scheduled to start on 28 April 2008 with the commencement of the Prosecution evidence. According to the Indictment, the Accused was a senior civil servant in Rwanda, occupying various positions at prefecture and governmental level, and a member of the Mouvement républicain national pour le développement (MRND). The Accused is charged with genocide, complicity in genocide, direct and public incitement to commit genocide.

Ongoing trials

Karemera et al.

In the case of *Karemera et al.*, the Chamber resumed the proceedings on 7 April 2008 with a status conference on the management of the Defence cases. The Defence case for the first Accused, Edouard Karemera, is scheduled to commence during this trial session. The commencement of the case was initially scheduled on 10 March 2008. However, bearing in mind the rights of the accused and the right of the parties to a fair trial, the Chamber decided to grant a postponement of the case until 7 April 2008 in order to allow the Accused to have adequate time and facilities for the preparation of their case and to allow the Prosecution to conduct investigations and prepare the cross-examination of the witnesses. Although the Prosecution case was closed in December 2007, the Chamber granted Defence requests to recall three Prosecution witnesses.

On 7 April 2008, the Chamber further heard the testimony of a Defence witness for Joseph Nzirorera by videoconference. Due to exceptional circumstances, the Chamber had indeed granted this testimony be taken by videoconference before the commencement of the Defence for Edouard Karemera. This evidence will then be followed by further examination of the recalled Prosecution witnesses.

Since January 2008, the Chamber has delivered more than 35 decisions. On 19 March 2008, the Chamber denied the Accused's request for judgement of acquittal on all counts. It however found in a separate decision that in view of the absence of any evidence adduced by the Prosecution on certain specific paragraphs of the Indictment, the Accused had no case to answer to those paragraphs and the Prosecution had to amend accordingly the Indictment. The Chamber also delivered a decision denying Nzirorera's allegations of mistrial for failure of the Prosecution to comply with its disclosure obligations. After considering the trial proceedings as a whole, the Chamber concluded that the trial remains fair to the Accused.

The Chamber is currently seized of 10 motions related to the preparation of the Defence cases.

Cases where referral to a domestic jurisdiction is pending

Munyakazi

In September 2007, the Prosecutor requested the referral of the case of Yussuf Munyakazi to Rwanda. Various

submissions were filed by both parties. The Chamber granted leave for the Republic of Rwanda, the Kigali Bar Association, and the International criminal Defence Attorneys Association and Human Rights Watch to file submissions as *Amici Curiae*. The Chamber further decided to hold a hearing on 24 April 2007, inviting the parties, the Republic of Rwanda and *amici* to attend the hearing in order to elaborate and expand on the issues arising from their respective briefs and to answer questions from the Chamber.

Since January 2008, the Chamber has delivered 9 decisions in connection with the referral. The motion for referral is currently under deliberation.

Hategekimana

In September 2007, the Prosecutor requested the referral of the case of Hategekimana to Rwanda. Various submissions were filed by both parties. The Chamber granted leave for the Republic of Rwanda, the Kigali Bar Association, and the International criminal Defence Attorneys Association, ADAD, HRW to file submissions as *Amici Curiae*. Further *Amici Curiae* submissions are expected to be filed this month.

Since January 2008, the Chamber has delivered 3 decisions in connection with the referral. The motion for referral is currently under deliberation.

Kayishema

In June 2007, the Prosecutor requested the referral of the case of Fulgence Kayishema to Rwanda, while the accused is still at large. Various submissions were filed by both parties. The Chamber granted leave for the Republic of Rwanda, the Kigali Bar Association, and the International criminal Defence Attorneys Association, HRW to file submissions as *Amici Curiae*.

Since January 2008, the Chamber delivered one decision. Six motions, including the one for referral, are under deliberations.

Cases where evidence is closed but closing arguments are yet to be heard

Bikindi

The Defence case of Simon Bikindi was completed in November 2007. The Chamber will go to Rwanda on a site visit from 14 to 18 April 2008. The main area to be visited will be Kigali and Gisenyi. Both parties will be present during the site visit.

The closing arguments of the parties are scheduled to be heard on 28 and 29 May 2008.

Zigiranyirazo

The Defence case of Protais Zigiranyirazo was completed in December 2007. The closing briefs will be filed on 25 April 2008. The closing arguments of the parties are scheduled to be heard on 26 and 27 May 2008.

Cases where judgement delivery is awaited

Nchamihigo

The case of Simeon Nchamihigo was completed in December 2007. The closing arguments of the parties were heard in January 2008. The Chamber is currently deliberating.



Judicial Decisions of the ICTR from 1-31 March 2008

Date	Record Number	Title	TC
03/03/2008	ICTR-99-52-2256	NAHIMANA ET AL - DECISION ON HASSAN NGEZE'S MOTION OF 25 FEBRUARY 2008	AC
03/03/2008	ICTR-00-56-0902	NDINDILYIMANA ET AL - NZUWONEMEYE REQUEST FOR CERTIFICATION OF APPEAL OF TC'S DECISION FILED 29 FEBRUARY 2008 PURSUANT TO RULE 73(B)	TC 2
03/03/2008	ICTR-04-81-0055	SETAKO - DECISION ON DEFENCE MOTION CONCERNING DEFECTS IN THE INDICTMENT	TC 1
04/03/2008	ICTR-98-44-3402	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S APPLICATION FOR CERTIFICATION TO APPEAL DECISION ON TENTH RULE 68 MOTION	TC 3
04/03/2008	ICTR-98-44-3401	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S SECOND MOTION TO EXCLUDE TESTIMONY OF WITNESS AXA AND EDOUARD KAREMERA'S MOTION TO RECALL THE WITNESS	TC 3
04/03/2008	ICTR-99-50-1823	BIZIMUNGU ET AL - DECISION ON THE PROSECUTOR'S MOTION FOR AN EXTENSION TIME WITHIN WHICH TO FILE A RESPONSE TO JUSTIN MUGENZI'S MOTION FOR FURTHER CERTIFICATED DEISCLOSURE AND FOR LEAVE TO REOPEN HIS DEFENCE	TC 2
04/03/2008	ICTR-95-1B-0234	MUHIMANA - DECISION ON PROSECUTION MOTION TO UNSEAL AND DISCLOSE CLOSED SESSION TESTIMONY OF WITNESSES BI, AT, GGO AND GG	TC 1
05/03/2008	ICTR-01-71-0299	NDINDABAHIZI - DECISION ON DISCLOSURE OF CLOSED SESSION TESTIMONY OF WITNESSES CGE, CGX,CGF,CGB AND CGH	TC 1
06/03/2008	ICTR-98-44-3408	KAREMERA ET AL - CORRIGENDUM A LA DECISION SUR LES REQUETES D'EDOUARD KAREMERA ET MATHIEU NGRUMPATSE EN PROROGATION DE DELAI	TC 3
06/03/2008	ICTR-98-44-3407	KAREMERA ET AL - RECONSIDERATION DE LA DECISION DU 27 FEVRIER 2008 RELATIVE A LA REPRISE DU PROCES ET AU COMMENCEMENT DE LA PRESENTATION DES MOYENS DE PREUVE A DECHARGE	TC 3
07/03/2008	ICTR-98-44-3409	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR DISQUALIFICATION OF JUDGES BYRON, KAM AND JOENSEN	TC 3
07/03/2008	ICTR-99-50-1825	BIZIMUNGU ET AL - DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MS. ALEXANDRA MARCIL, CO-COUNSEL FOR THE ACCUSED CASIMIR BIZIMUNGU	TC 2
10/03/2008	ICTR-97-36A-0055	MUNYAKAZI - DECISION ON THE REQUEST BY HUMAN RIGHTS WATCH FOR LEAVE TO APPEAR AS AMICUS CURIAE	TC 3
10/03/2008	ICTR-04-81-0057	SETAKO - AMENDED INDICTMENT FILED PURSUANT TO THE DECISION OF THE TC DATED 03/03/2008	TC 1
11/03/2008	ICTR-98-44-3415	KAREMERA ET AL - CORRIGENDUM TO DECISION ON JOSEPH NZIRORERA'S SECOND MOTION TO EXCLUDE TESTIMONY OF WITNESS AXA AND EDOUARD KAREMERA'S MOTION TO RECALL THE WITNESS	TC 3
12/03/2008	ICTR-98-44-3418	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO RECALL PROSECUTION WITNESS BTH	TC 3
12/03/2008	ICTR-01-72-0273	BIKINDI - DECISION AUTHORIZING THE SITE VISIT IN RWANDA	TC 3
12/03/2008	ICTR-01-69-0122	NSENGIMANA - DECISION AUTHORIZING THE SITE VISIT IN RWANDA	TC 1
14/03/2008	ICTR-98-44-3421	KAREMERA ET AL - OBSERVATIONS DE M. NGRUMPATSE CONFERMEMENT A LA DECISION DE LA CHAMBRE DU 6 MARS 2008	TC 3
17/03/2008	ICTR-98-44-3426	KAREMERA ET AL - PROSECUTOR'S RESPONSE TO NZIRORERA'S MOTION FOR PARTIAL RECONSIDERATION: DECISION ON JOSEPH NZIRORERA'S TENTH NOTICE OF RULE 68 VIOLATION AND MOTION FOR REMEDIAL AND PUNITIVE MEASURES	TC 3
17/03/2008	ICTR-98-44-3424	KAREMERA ET AL - DECISION ON THE PROSECUTOR'S MOTION FOR EXTENSION OF TIME TO COMPLY WITH TC III ORDER OF 20 FEBRUARY 2008	TC 3
18/03/2008	ICTR-98-44-3429	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO EXCLUDE EVIDENCE OF MATERIAL FACTS NOT CHARGED IN THE INDICTMENT	TC 3
18/03/2008	ICTR-98-44-3428	KAREMERA ET AL - CORRIGENDUM A LA DECISION RELATIVE A LA REQUETE D'EDOUARD KAREMERA EN VUE D'UNE ORDONNANCE DE PROTECTION DES TEMOINS A DECHARGE	TC 3
19/03/2008	ICTR-98-44-3434	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR MISTRIAL	TC 3
19/03/2008	ICTR-98-44-3436	KAREMERA ET AL - DECISION ON MOTIONS FOR JUDGEMENT OF ACQUITTAL	TC 3

Date	Record Number	Title	TC
19/03/2008	ICTR-99-50-1838	BIZIMUNGU ET AL - DECISION ON JEROME-CLEMENT BICAMUMPAKA'S APPLICATION FOR CERTIFICATION TO APPEAL THE TC'S DECISION ON BICAMUMPAKA'S REQUEST FOR A SUBPOENA OF 12 FEBRUARY 2008	TC 2
19/03/2008	ICTR-98-44-3439/1	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR VIDEO-LINK TESTIMONY OF JEAN BAPTISTE BUTERA	TC 3
19/03/2008	ICTR-98-44-3435	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA AND EDOUARD KAREMERA'S MOTIONS FOR NO CASE TO ANSWER	TC 3
19/03/2008	ICTR-98-44-3439/2	KAREMERA ET AL - DECISION RELATIVE A LA REQUETE DE JOSEPH NZIRORERA INTITULEE (JOSEPH NZIRORERA'S MOTION FOR VIDEO - LINK TESTIMONY OF JEAN BAPTISTE BUTERA)	TC 3
20/03/2008	ICTR-99-52-2267	NAHIMANA - NOTICE OF APPLICATION FOR RECONSIDERATION OF APPEAL DECISION DUE TO FACTUAL ERRORS APPARENT ON THE RECORD	AC
20/03/2008	ICTR-00-55B-0042	HATEGEKIMANA - DECISION ON AMICUS REQUESTS AND PENDING DEFENCE MOTIONS AND ORDER FOR FURTHER SUBMISSIONS	TC 3
20/03/2008	ICTR-98-44-3440	KAREMERA ET AL - PROSECUTOR'S RESPONSE TO JOSEPH NZIRORERA'S INTERLOCUTORY APPEAL FROM DECISION ON TENTH RULE 68 MOTION	TC 3
26/03/2008	ICTR-98-44-3444	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO ADMIT DOCUMENTS AUTHORED BY ENOCH RUHIGIRA	TC 3
31/03/2008	ICTR-99-46-1807	NTAGERURA - DECISION ON MOTION OF ANDRE NTAGERURA FOR COOPERATION WITH CANADA AND FOR REPORTING TO THE SECURITY COUNCIL	TC 3

Stakeholders' Renewed Interest in the Work of the Tribunal

In the last six-month period, the ERSPS staff in charge of Protocol Support Services have successfully handled the visits to the Headquarters of the Tribunal of more than 1,200 people for briefings on its work and familiarization with its facilities, resources, and operations. This represents an almost 400 per cent increase in the visit rate compared with the previous period. This trend also underlines the positive impact of the ongoing ICTR Completion Strategy on the attention and consideration generated by the ICTR's achievements and operations.

During the period the Tribunal welcomed representatives of Member State Governments, the Diplomatic Corps, Civil Societies, Bar Associations, Academic and Research Institutions as well as university students and school pupils from the following countries: Argentina, Australia, Belgium, Botswana, Burundi, Cote d'Ivoire, Denmark, France, Germany, Israel, Kenya, Malawi, Namibia, Netherlands, Nigeria, Norway, Rwanda, Senegal, South Africa, Sweden, Tanzania, Uganda, United Kingdom, United States of America and Zimbabwe.

Among the VIPs who visited the Tribunal in Kigali and Arusha at this critical stage of its Completion Strategy are the UN Secretary-General, Mr. Ban Ki-moon; the Under-Secretary General for Legal Affairs, Mr. Nicolas Michel; Ambassadors of the European Union in Kigali and Dar es Salaam; the Friends of ICTR in Dar es Salaam composed of Ambassadors, High Commissioners, and other top Diplomatic Representatives of the United Kingdom, the USA, The Netherlands, France, Belgium, Germany, Canada, and Norway; representatives of the US State Department; INTERPOL and the European Commission. In carrying out its protocol activities, the ERSPS has

also facilitated the maintenance of close interaction with the East African Community (EAC), member States of the African Great Lakes Region including the Tanzanian authorities and the African Court for Human and People's Rights.

Capacity Building

• Training Seminar for Rwandan Judges Opens in Kigali

The UNICTR in collaboration with the Supreme Court of the Republic of Rwanda organised a 5-day Training Session for approximately 20 Members of the Rwandan Judiciary from 10 to 14 March 2008 at the Novotel Umubano Hotel, Kigali.



From left to right: Mr. Jean Pele Fomété, Mr. Sam Rugege and Mr. Charles Adeogun-Phillips

The Objective of the Capacity Building Training, funded by the European union, was to discuss with the Rwandan Judges, on International Criminal Law notably on Genocide and Crimes against Humanity, on the forms of participation in the crimes, on fair trial in the procedure, and on sentencing.

The Judges were also given a demonstration of Real Time Transcription.



The Facilitators of this Training Session included Judge Lennart Aspegren, Former ICTR Judge, Sweden; Prof. William Schabas, Director, Irish Centre for Human Rights/National University of Ireland; Dr. John Jones, Doughty Street Chambers, London; Mr. Charles Adeogun-Phillips, ICTR Senior Trial Attorney, Office of the Prosecutor.

News from Kigali

• Spokesman of the ICTR Visits Umusanzu Centre

The Spokesman of the International Criminal Tribunal for Rwanda (ICTR) and Chief of External Relations and Strategic Planning Section, Mr. Roland Amoussouga, on 4 March 2008 visited Umusanzu, the Tribunal's Information Centre in Kigali.

During his visit, Mr. Amoussouga met with the staff members where various matters pertaining to the implementation of the Outreach Programme in Rwanda were discussed.

• ICTR Starts Implementation of Umusanzu Extension Project

As part of the Tribunal's Outreach Programme in Rwanda, the implementation of Umusanzu Extension project began on 12 March, 2008. The project will oversee the establishment of 10 Mini-Information Centres in the country. The first phase of the project that involves the dispatch of equipment to 10 identified locations ended on Tuesday 1 April 2008 in Gasabo District of Kigali City. Other locations that have received the equipment include Rubavu, Musanze, Karongi, Nyamagabe, Nyagatare, Ngoma, Gicumbi, Muhanga and Rusizi Districts. The second phase will involve the installation of Internet connection.

The equipment consists of computers, DVD's and VHS players, television sets, computer tables and visitors chairs.

The principal aim of the establishment of Umusanzu mini information centres is to improve communication and to facilitate access to the jurisprudence of the ICTR and other legal material for members of the Rwandan National judiciary working outside the capital. The project is being financed by the European Union in order to extend judicial support to the Government and people of Rwanda.

News from The Hague

• Activity of the Appeals Chamber

The Appeals Chamber sat in Arusha in March. On 12 March 2008, the Appeals Chamber rendered its judgement in the *Seromba* case and on 13 March 2008 it heard the appeals in the *Muvunyi* case.

The appeals in the *Muvunyi* case are presently under deliberation. Additionally, the Appeals Chamber is seized of an appeal from judgement in the *Karera* case where the briefing is in progress.

The Appeals Chamber also issued three pre-appeal orders and a post-appeal decision in the *Ngeze* case.

In addition to the appeals in the *Muvunyi* and *Karera* cases, the Appeals Chamber is seized of interlocutory appeals in the *Karemera et al* and *Bizimungu et al* cases, one request for clarification in the *Rutaganda* case, and several motions arising from the *Nahimana et al* Appeal Judgement.

• ICTR Internal Co-operation

Ms Justine Ndongo-Keller, Chief of the Language Services Section (LSS), was on mission to the Appeals Chamber Support Unit in The Hague (ACSU) from 10 to 14 March 2008. The Chief of Section undertook a full schedule of activities during her five-day mission. After a courtesy call on the Head of ACSU, Mr. Koffi Afande, on the morning of 10 March, the Chief of Section met informally with the staff of the Language Support Sub-unit of ACSU for briefing on the general status and conditions of work. This was followed by working sessions with individual staff during the subsequent days to address personal issues of concern, both administrative and technical. She met with the Language staff again on Friday, 14 March, for a debriefing session.

This first meeting by the Chief of Section to ACSU gave her the opportunity to meet with the President of the Appeals Chamber, Judge Pocar, and the two ICTR Judges of the Appeals Chamber, Judge Mehmet Güney and Judge Andréia Vaz. She also had discussions with the various Legal Officers and Units that deal with appeal cases and hence work closely with LSS.

The Chief of Section also met with her counterpart at ICTY, Ms. Christina Zoric, for discussions and visited the ICTY French Translation Unit that is in the same building as ACSU. She had brief discussions with the Chief of that Unit and was introduced to the French revisers and translators.

“Investing in Women and Girls”

• ICTR Commemorates International Women's Day

On the initiative of the Gender Adviser and in consultation with the Staff Association, ICTR commemorated the International Women's Day on 6 March 2008. Dignitaries present included the keynote speaker, , Division Head of the Tropical Pesticide Research Institute (TPRI); His Excellency, Mr. Isidore Shirima, Regional Commissioner; the Honorable Vice-President and Judges, the Prosecutor and the Registrar of the Tribunal as well as the members of the East African Community, the African Court of Human and People's Rights and the AICC. Other senior ICTR officials also attended the celebrations.

The theme of this year International Women's Day is “Investing in Women and Girls.”

The celebration offered the international community, especially the women in Arusha and at ICTR, a unique



Mrs. Epiphania Kimaro addressing the staff and invitees while Mr. Adama Dieng, Prof. Gerard Niyungeko, President of the African Court of Human & People's Rights, and Judge Khalida Rachid Khan look on

opportunity to reflect on progress achieved worldwide, particularly at the local and institutional levels, in the areas of gender equality and women empowerment.



Mr. Shirima and Justice Jallow

All the distinguished speakers paid tribute to women in all walks of life in line with the ICTR's theme of "Women's Engagement in Shaping Progress". Mr. Adama Dieng, Registrar of the Tribunal paid a special tribute to ICTR women

in leadership positions.

The Arusha Spouses Association-ICTR (ASA-ICTR) took this opportunity to launch the operation "Stretch A Hand" in order to raise funds to help the local community.

- **Family Fun Day to Mark International Women's Day**

A family fun day to mark the International Women's Day was jointly organised by the Arusha Spouses Association-ICTR (ASA-ICTR) and ICTR Staff Association on 8 March 2008 at the grounds of General Tyres. Staff members and their families, as well as invited local residents enjoyed a fun day that was accompanied by music. The ASA-ICTR and some volunteers from the ICTR staff members prepared a sumptuous buffet, and organized children's games,



Ms. Kilemi getting set to kick off the match

various plays, a ladies' race and a soccer match between two teams composed of ICTR staff and other Arusha residents. Ms Kilemi did the honour of kicking off the soccer match and congratulated the winning teams.

She remarked, "The Wazee did us proud by scoring two goals, even though most of them were struggling to run. It was part of the fun ... next time, there will be more events for ladies. I am sure we too are sportive, only our talents are underutilized."

African Countries Should Learn Lessons From Rwanda Genocide, by Sukhdev Chhatbar, Hirondelle Agency



African countries must absorb the lessons of the 1994 Rwanda genocide in order to avoid a repetition of the "ultimate crime" on the continent, said Roland Amoussouga, spokesman of the UN International Criminal Tribunal for Rwanda (ICTR).

Making a key note address at the African journalism training programme in Arusha on 18 March 2008, Mr Amoussouga said that weak institutions in many African countries have given rise to a culture of impunity, especially under dictatorships that would do anything to cling to power.

The training programme was organized under the auspices of the African Peer Review Mechanism and New Partnership for African Development (NEPAD) Eastern African chapter and funded by the Canadian International Development Agency (CIDA).

"We believe, for example, the existence of ICTR may have made a major difference in political developments in places like the Democratic Republic of Congo (DRC), Burundi and lately Kenya," he told about 30 participants from Eastern African countries. The work of the ICTR, he stressed, served as a deterrent against abuses of human rights violations.

"The Tribunal will leave a legacy of international jurisprudence that can guide future courts and deter future commission of these grave crimes," he stated.

The Arusha-based Tribunal has created history in the development of international law, he said, citing examples of the court's definition and interpretation of genocide in post Second World War; and definition of rape and sexual violence which constitute as genocide.

He added, "This is the first time high ranking [African] individuals have been called to account before an international court of law for massive violations of human rights in Africa. The Tribunal's work sends a strong message to Africa's leaders and warlords. By delivering the first ever verdicts in relation to genocide, the ICTR is providing an example to be followed in other parts of the world where these kinds of crimes

have also been committed.”

He also told the participants that an independent and free press also fulfils key public information, and could help to deter public perceptions that corruption, bad governance and evil deeds are inevitable and that important people in our societies are immune from investigation or censorship.

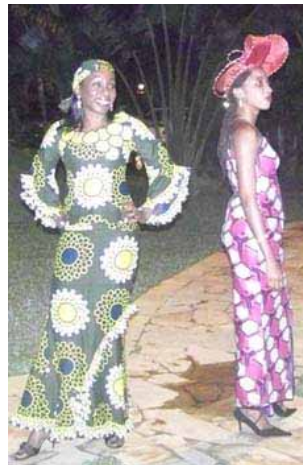
Since the establishment of the UN Court in November some 14 years ago, 91 key suspects have been indicted out of which a total of 78 have already been arrested with trials against 37 of them having been completed. Five persons were acquitted and the rest sentenced. Twelve detainees are awaiting the commencement of their trials. The UN Security Council has directed that all first instance trials be completed by the end of the year and appeals by 2010.

The Prosecutor intends to transfer eight cases, with authorization of the Chambers, to national jurisdiction and at least five to Rwanda, where the 21st century's worst crime was committed. According to UN estimates, about 800,000 ethnic Tutsis and moderate Hutus were killed in the July-April slaughter.

Fundraising Fashion Show for the Patandi Practising School

Although engaged in internationally focused work, involvement in local community projects has become a major part of life in Arusha for many of the staff of the ICTR. One can regularly find flyers advertising community events posted around the Tribunal. The recent fashion show held in aid of the blind at the Patandi Practising School is such an example.

Staff members of the ICTR, Mary Kibisu, Adelaide Whest and Kazim Hijaz who are also members of the Rotary Club of Arusha Mount Meru together with Veronica Wright, Musonda Kasonde and Sabel Ndurebarry, undertook the challenge of raising money for blind children of limited means to attend classes at the Patandi Practising School.



On a crisp Saturday evening on 29 March 2008, fashion enthusiasts and amateurs alike were treated to a stunning display of West African-inspired clothing modelled by volunteers from the ICTR and other community-based organisations in Arusha. In the poolside setting of the Kibo Palace, guests admired the striking outfits generously provided by accomplished designer, Solange Diarrassouba of

Kalika Creations, Ivory Coast. The models wore Bahati Jewellery, hand made by disadvantaged women and children and available at River Trees Lodge.

As a result of this evening, more children will be able to attend the Patandi Practising School where a boarding school exists for the blind children but funds are needed to sponsor another 24 children as boarders.