



ICTR Newsletter

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United Nations International Criminal Tribunal for Rwanda

March 2009

ICTR Registrar Re-appointed by the Secretary-General for a Third Term



March 2009, or until the completion of the work of the Tribunal, if sooner.

According to the ICTR Statute and Rules of Procedure and Evidence, the Registrar assists the Judges and the Prosecutor in the exercise of their duties and, under the authority of the President of the ICTR, he is responsible for the administration of the Tribunal and its legal aid scheme. He also acts as the

1982, he joined the International Commission of Jurists where he served successively as Legal Officer for Africa, Executive Secretary and, from October 1990 to May 2000 as Secretary-General. While holding that post, Mr. Dieng was appointed as United Nations Independent Expert for Haiti (1995).

Mr. Dieng was appointed as Registrar of the ICTR on 28 February 2001 for an initial term of four years, which was subsequently renewed at the end of February 2005.

Upon the recommendation of the President of the Tribunal, Sir Dennis C. M. Byron, the Secretary-General of the United Nations, Mr. Ban Ki-moon, has re-appointed Mr. Adama Dieng as Registrar of the International Criminal Tribunal for Rwanda (ICTR) for a third term of four years commencing in

Tribunal's channel of communication.

Mr. Dieng was born on 22 May 1950. He began his career as Registrar of the Regional and Labour Courts in Senegal in 1973, and then served as Registrar of the Supreme Court of Senegal for six years. In

This re-appointment is a re-affirmation of Mr. Dieng's able leadership and continued efforts to enhance the efficiency of the administration of the Tribunal, especially at this critical juncture of its completion strategy.

Two fruitful days in Dakar



L to R: Mr. Jallow, Ms. Ankumah, Minister of Justice, Mr. M. Niang, President A. Wade, Mr. A. Dieng & Judge D. Byron

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From 6-7 March 2009, the International Criminal Tribunal for Rwanda (ICTR), in cooperation with Africa Legal Aid (AFLA), organized in Dakar, Senegal, a forum on Gender Justice. The two fruitful days of debates focused on gender issues and the Legacy of the ICTR in the area of prosecution of sexual violence against women. This event was enhanced by the presence of the President of Senegal, His Excellency Abdoulaye Wade, who chaired the opening ceremony.

Meridien Hotel President before a large and distinguished audience including a Delegation from the ICTR Arusha, led by Sir Dennis C. M. Byron, President of the Tribunal and composed of Justice Hassan Bubacar Jallow, Prosecutor of ICTR and the Assistant-Secretary General and ICTR Registrar, Mr. Adama Dieng. They were assisted by Mr. Roland Amoussouga, Chief of External Relations and Strategic Planning Section and ICTR Spokesperson, Mr. Mandiaye Niang, Senior Legal Officer and Special

The ceremony unfolded at the

Continued on p 8.



ICTR Judicial Activities

Judicial Calendar

Case	Bench	Prosecution	Defence	Party presenting his/her case
Hategekimana	Judges Ramaroson (pres.), Hikmet, Masanche	William Egbe Peter Tafah Sulaiman Khan Adama Niane Guilain DisengiMugeyo Amina Ibrahim	A. R. Dovi Ata-Quam-Dovi-Avouyi	Prosecution
Nshogoza	Judges Khan (Pres.), Muthoga, Akay	P. Ng'aura A. Seye D. Mabura M. Ka	A. Turner	Defence
Bagaragaza	Judge Khan	Wallace Kapaya Patrick Gabaacke Brian Wallace Iskainadar Ismail	Geert-Jan Alexander Knoops Ann-Marie Verwiel	Status Conference
Munyakazi	Judge Møse	Richard Karegyesa Didace Nyirinkwaya Stephen Agaba	Jwani Timothy Mwaikusa Eliane Nyampinga	Status Conference

Work of the Trial Chambers and the Appeals Chamber

1. Trial Chamber I

Ongoing trials

Setako

The second trial session of the Prosecution case resumed on 16 February 2009 until 26 February. The last witness will be heard via video link in the next trial session from 20 April 2009. The Defence case is scheduled to open on 4 May 2009. It is expected that it will require no longer than six weeks to complete.

Trials about to commence shortly

Munyakazi

The Chamber held a pre-trial status conference with the parties on 20 March 2009. The trial is scheduled to start on 20 April 2009.

Cases where judgement delivery is awaited

Renzaho

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

Nsengimana

Deliberations in this case are ongoing. The closing arguments have been heard in February. The Chamber will announce the date of judgment in due course.

2. Trial Chamber II

Ongoing trials

Hategekimana

The Prosecution case in the trial of the Prosecutor v.

Hategekimana started on 16 March. The new bench is composed of Judge Ramaroson (presiding), Judge Hikmet and Judge Masanche. Judge Ramaroson replaces Judge Arrey who recused herself from the case in January. The Trial Chamber has heard so far five Prosecution witnesses, and it is currently seized of three motions.

Nshogoza

The Prosecution case ended one week later than scheduled, on 19 February 2009. The Defence Case commenced on 16 March 2009, also one week later than scheduled, due to two postponements: the first because Defence Counsel failed to file a reduced list of witnesses, and the second because the Defence refused to give its opening statement or call any witnesses.

Since 12 February 2009, the Chamber issued thirteen Decisions and four Orders. This included a Decision denying the Prosecutor's motion to admit evidence of a consistent pattern of conduct and several Orders to the Defence to reduce its witness list. Furthermore, the Chamber decided on Defence motions for stay of proceedings, postponement of the commencement of Defence Case, and various motions seeking reconsideration and certification to appeal the Chamber's Decisions. After the Defence repeatedly failed to comply with the Chamber's Orders, and refused to commence its case, the Chamber issued two Decisions sanctioning Defence Counsel for misconduct.

Trials in Judgement Drafting Phase

Nyiramasuhuko et al. (Butare)

The Trial Chamber has issued seven written decisions including a decision denying the Prosecution's motion for site visit, a decision reconsidering the timeframes for the oral arguments which are now scheduled from 20 April to 30 April 2009 and a decision ordering an



investigation into allegations of false testimony and contempt of court after the recall of Prosecution witnesses QY and SJ on 23, 24 and 25 February 2009. On 25 February 2009, the proceedings were adjourned sine die.

The Chamber has also issued one written decision on pre-trial matters in the *Ngirabatware* case and is seized of seven motions.

Military II

The evidence phase closed on 18 February 2009. The parties are expected to file their closing briefs by 31 March. The Chamber will hear closing arguments in June 2009 after a site visit to Rwanda in April.

Bizimungu et al.

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

Cases where the judgement has been delivered

Rukundo

The oral judgement in the Rukundo case was delivered on 27 February 2009 and the written judgement was filed on 13 March 2009. The Chamber sentenced Emmanuel Rukundo to twenty five years imprisonment.

3. Trial Chamber III

Ongoing trials

Kalimanzira

The Chamber closed the second and final trial session for the presentation of the Defence case in February. The closing briefs of the parties are expected to be filed by 2 April 2009, and the oral arguments are awaited for 17 April 2009. Eight decisions have been rendered since the beginning of the year.

Karemera et al.

On 3 March 2009, the Chamber rendered a decision on continuation of Trial ordering the severance of Matthieu Ndirumpatse from this Trial with immediate application. The trial will resume on 23 March with Edouard Karemera next Defence Witness. The three accused have appealed the Decision ordering severance and they have also filed submissions requesting stay of the immediate application of severance until the Appeals Chamber decides the appeal.

So far, the Chamber has rendered 40 decisions in 2009.

Muvunyi

On 29 January 2009, the Trial Chamber granted the Prosecution Motion seeking certification to appeal its decision on limiting the scope of the retrial. The Chamber therein stated that the trial will commence only after the decision of the Appeals Chamber on that scope, which is still awaited. The Chamber issued a tentative scheduling for the trial to start approximately 4 weeks after the Appeal decision. The Chamber is

currently deliberating on three motions filed in February and March 2009.

Trials to commence shortly

Bagaragaza

The Pre-Trial Chamber held a pre-trial conference on 9 March. A date for trial will be fixed in due course.

4. Appeals Chamber

The Appeals Chamber is seized of five cases involving appeals from judgement.

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

In the *Zigiranyirazo* case, where the Trial Judgement was rendered on 18 December 2008, both parties filed notices of appeal and the briefing is in progress. The Appeals Chamber granted an extension of time to Protais Zigiranyirazo to file his appellant's brief within 40 days of the filing of the French translation of the judgement (expected 16/04/09).

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

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

In the *Rukundo* case, in which the Trial Judgement was rendered on 27 February 2009, the prosecution filed a motion for an extension of time to file its notice of appeal.

The Appeals Chamber is also seized of five interlocutory appeals: an appeal from the prosecution in the *Muvunyi* case concerning the scope of evidence at retrial; an appeal from Matthieu Ndirumpatse concerning provisional release; an appeal from Leonidas Nshogoza concerning his witness list; an appeal from Joseph Nzirorera concerning disclosure; and an appeal concerning the continuation of the *Karemera et al.* trial.

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

On 12 March 2009, the Appeals Chamber denied Eliezer Niyitegeka's fourth request for review of the Appeal Judgement rendered in his case. As in the previous instances in which Eliezer Niyitegeka sought review of the judgement, the Appeals Chamber found that he did not demonstrate that the materials to which he points are new facts that could have been a



decisive factor in reaching the original decision.

preliminary decisions or orders.

From the beginning of 2009, the Appeals Chamber has rendered one Judgement, in the *Karera* case, two decisions on interlocutory appeals, three decisions concerning post appeal matters, and thirty-seven

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

Judicial Decisions of the ICTR from 1-31 March 2009

Date	Record Number	Title	TC
02/03/2009	ICTR-98-41-2313	BAGOSORA ET AL - DECISION ON ANATOLE NSENGYUMVA'S MOTION FOR EXTENSION OF TIME FOR FILING APPEAL SUBMISSIONS	AC
02/03/2009	ICTR-98-44-3797	KAREMERA ET AL - PROSECUTOR'S RESPONSE TO JOSEPH NZIRORERA'S MOTION FOR VARIATION OF DECISION REQUIRING IDENTIFYING INFORMATION	TC 3
02/03/2009	ICTR-05-88-0153	KALIMANZIRA - DECISION ON DEFENCE MOTION FOR ADMISSION OF CERTAIN MATERIALS	TC 3
03/03/2009	ICTR-98-44-3800/1	KAREMERA ET AL - DECISION ON CONTINUATION OF TRIAL	TC 3
03/03/2009	ICTR-05-88-0151	KALIMANZIRA - DECISION ON PROSECUTION MOTION TO ADMIT ENGLISH VERSIONS OF TRANSCRIPT EVIDENCE ADMITTED ON 13 FEBRUARY 2009	TC 3
03/03/2009	ICTR-98-44-3800/2	KAREMERA ET AL - DECISION RELATIVE A LA CONTINUATION DU PROCES	TC 3
03/03/2009	ICTR-04-81-0115	SETAKO - DECISION ON DEFENCE MOTION FOR ADMISSION OF EVIDENCE	TC 1
03/03/2009	ICTR-98-44-3795	KAREMERA ET AL - DECISION ON MATTHIEU NGIRUMPATSE'S MOTION TO VARY HIS CONDITIONS OF DETENTION	TC 3
03/03/2009	ICTR-05-88-0150	KALIMANZIRA - ORAL DECISION ON DEFENCE MOTION TO EXCLUDE EVIDENCE OR RECALL WITNESSES FILED ON 9 FEBRUARY 2009	TC 3
03/03/2009	ICTR-07-91-0198	NSHOGOZA - ORDER FOR THE DEFENCE TO COMPLY WITH THE CHAMBER'S ORDER OF 23 FEBRUARY 2009 AND THE CHAMBER'S DECISION OF 26 FEBRUARY 2009 FOR THE DEFENCE TO REDUCE ITS LIST OF WITNESSES	TC 3
04/03/2009	ICTR-07-91-0202	NSHOGOZA - DECISION ON DEFENCE MOTION FOR RECONSIDERATION OF THE CHAMBER'S DECISION ON MOTION FOR POSTPONEMENT OF DEFENCE CASE	TC 3
05/03/2009	ICTR-98-42-1563	NYIRAMASUHUKO ET AL - DECISION ON ORAL MOTIONS BY NYIRAMASUHUKO, NDAYAMBAJE, NSABIMANA, NTEZIRYAYO, NTAHOBALI AND THE PROSECUTION FOR RECONSIDERATION OF THE TIMEFRAMES OF ORAL SUBMISSIONS SET IN THE 29 AUGUST 2008 DECISION AND TO FIX THE DURATION OF ORA	TC 2
05/03/2009	ICTR-99-50-2090	BIZIMUNGU ET AL - DECISION ON JEROME-CLEMENT BICAMUPAKA'S MOTION FOR THE RECALL OF PROSECUTION WITNESS GAP (RULES 54, 68 (A), 75 AND 95 OF THE RULES OF PROCEDURE OF EVIDENCE	Trial Team IV
05/03/2009	ICTR-07-91-0200	NSHOGOZA - DECISION ON DEFENCE REQUEST FOR AN EXTENSION OF TIME TO FILE A PRE-DEFENCE BRIEF	TC 3
06/03/2009	ICTR-07-91-0204	NSHOGOZA - PROSECUTOR'S RESPONSE TO "URGENT DEFENCE APPLICATION FOR LEAVE TO REQUEST A REVIEW OF TC DECISION DENYING THE ACCUSED A FAIR TRIAL" FILED ON 02 MARCH 2009	AC
09/03/2009	ICTR-00-56-1044	NDINDILYIMANA ET AL - DECISION ON NZUWONEMEYE'S URGENT APPLICATION FOR UNSEALING AND DISTRIBUTE CERTAIN TRANSCRIPTS OF PROSECUTION WITNESS AP.	TC 2
09/03/2009	ICTR-00-55B-0112	HATEGEKIMANA - DECISION ON PROSECUTION REQUEST FOR THE TRANSFER OF DETAINED WITNESSES	TC 3
09/03/2009	ICTR-00-56-1043	[MILITARY II] NDINDILYIMANA ET AL - DECISION ON AUGUSTIN BIZIMUNGU DEFENCE MOTION FOR DISCLOSURE OF CLOSED SESSION TESTIMONY AND EXHIBITS	TC 2
09/03/2009	ICTR-00-56-1045	NDINDILYIMANA ET AL - DECISION ON LOCATIONS FOR THE SITE VISIT TO RWANDA	TC 2
09/03/2009	ICTR-98-44-3811	KAREMERA ET AL - PROSECUTOR'S RESPONSE TO NZIRORERA MOTION FOR STAY OF DECISION OF CONTINUATION OF TRIAL PENDING APPEAL	TC 3
09/03/2009	ICTR-04-81-0116	SETAKO - DECISION ON AUGUSTIN BIZIMUNGU DEFENCE MOTION FOR DISCLOSURE OF CLOSED SESSION TESTIMONY AND EXHIBITS	TC 1



Date	Record Number	Title	TC
09/03/2009	ICTR-00-56-1043	[MILITARY II] NDINDILYIMANA ET AL - DECISION ON AUGUSTIN BIZIMUNGU DEFENCE MOTION FOR DISCLOSURE OF CLOSED SESSION TESTIMONY AND EXHIBITS	TC 2
09/03/2009	ICTR-00-56-1045	NDINDILYIMANA ET AL - DECISION ON LOCATIONS FOR THE SITE VISIT TO RWANDA	TC 2
09/03/2009	ICTR-98-44-3811	KAREMERA ET AL - PROSECUTOR'S RESPONSE TO NZIRORERA MOTION FOR STAY OF DECISION OF CONTINUATION OF TRIAL PENDING APPEAL	TC 3
09/03/2009	ICTR-04-81-0116	SETAKO - DECISION ON AUGUSTIN BIZIMUNGU DEFENCE MOTION FOR DISCLOSURE OF CLOSED SESSION TESTIMONY AND EXHIBITS	TC 1
10/03/2009	ICTR-01-73-0710	ZIGIRANYIRAZO - DECISION ON PROTAIS ZIGIRANYIRAZO'S MOTION FOR AN EXTENSION OF TIME FOR THE FILING OF THE RESPONDENT'S BRIEF	AC
11/03/2009	ICTR-07-91-0221	NSHOGOZA - DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE CHAMBER'S DECISION DENYING A ONE WEEK POSTPONMENT OF THE DEFENCE CASE	TC 3
11/03/2009	ICTR-07-91-0222	NSHOGOZA - DECISION TO SANCTION THE DEFENCE FOR FAILURE TO COMPLY WITH THE CHAMBER'S ORDERS	TC 3
11/03/2009	ICTR-98-44E-0003	NGIRUMPATSE - OBSERVATION DE M NGRUMPATSE SUR LA NZIRORERA'S MOTION FOR STAY OF DECISION OF CONTINUATION OF TRIAL PENDING APPEAL ET SUR LE MEMOIRE EN REPONSE DU PROCUREUR	TC 3
12/03/2009	ICTR-98-44-3818	KAREMERA ET AL - DECISION ON URGENT REQUEST FOR PRECISION OR ALTERNATIVELY CORRECTION OF THE DECISION OF 3 MARCH 2009 ON CONTINUATION OF TRIAL	TC 3
12/03/2009	ICTR-96-13-0706	MUSEMA - PROSECUTOR'S RESPONSE TO MUSEMA'S REQUEST FOR REVIEW OF DECISION ON REQUEST FOR ASSIGNMENT OF COUNSEL	Trial Team IV
13/03/2009	ICTR-05-82-0036	NTAWUKULILYAYO - DECISION ON "REQUETE EN URGENCE DE LA DEFENSE AUX FINS DE SUSPENSION DES DELAIS DE LA PROCEDURE JUSQU'A TRADUCTIONS DES DOCUMENTS DE L'ACCUSATION ET DES ACTES DE PROCEDURE EN FRANCAIS, LANGUE DE L'ACCUSE ET DE SON CONSEIL"	TC 3
13/03/2009	ICTR-96-8-0512	NDAYAMBAJE - DECISION ON NDAYAMBAJE'S EXTREMELY URGENT MOTION FOR DISCLOSURE UNDER RULES 66 AND 68 AND FOR ADMISSION INTO EVIDENCE OF TRANSCRIPTS IN THE KALIMANZIRA CASE	TC 2
16/03/2009	ICTR-98-44-3820	KAREMERA ET AL - CORRIGENDUM TO DECISION ON URGENT REQUEST FOR PRECISION OR ALTERNATIVELY CORRECTION OF THE DECISION OF 3 MARCH 2009 ON CONTINUATION OF TRIAL	TC 3
17/03/2009	ICTR-07-91-0233	NSHOGOZA - FURTHER DECISION TO SANCTION DEFENCE COUNSEL FOR MISCONDUCT	TC 3
17/03/2009	ICTR-05-82-0029	NTAWUKULILYAYO - DECISION ON PROSECUTOR'S MOTION FOR JUDICIAL NOTICE OF FACTS OF COMMON KNOWLEDGE	TC 3
17/03/2009	ICTR-96-13-0709	MUSEMA - REGISTRY'S SUBMISSION UNDER RULE 33 (B) OF THE RULES ON ALFRED MUSEMA-UWIMANA'S "REQUETE DE L'APPELLANT EN REVISION DE LA "DECISION ON REQUEST FOR ASSIGNMENT OF COUNSEL" DE LA CHAMBRE D'APPEL RENDUE LE 27 FEVRIER 2009"	Trial Team IV
17/03/2009	ICTR-05-82-0031	NTAWUKULILYAYO - DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MR. FRANCOIS ROUX LEAD COUNSEL FOR THE ACCUSED DOMINIQUE NTAWUKULILYAYO	TC 3
18/03/2009	ICTR-00-56-1047	NDINDILYIMANA ET AL - DECISION ON BIZIMUNGU'S URGENT REQUEST TO SUBMIT ADDITIONAL PAGES IN HIS CLOSING BRIEF	TC 2
18/03/2009	ICTR-01-73-0713	ZIGIRANYIRAZO - DECISION ON PROTAIS ZIGIRANYIRAZO'S MOTION FOR LEAVE TO AMEND NOTICE OF APPEAL	AC
19/03/2009	ICTR-00-56-1048	NDINDILYIMANA ET AL - DECISION ON PROSECUTION'S MOTION FOR RECONSIDERATION OF THE CHAMBER'S DECISION DATED 18 FEBRUARY 2009	TC 2
19/03/2009	ICTR-98-42-1565	NYIRAMASUHUKE ET AL - DECISION ON THAHOBALI'S MOTION FOR AN INVESTIGATION INTO FALSE TESTIMONY AND KANYABASHI'S MOTION FOR AN INVESTIGATION INTO CONTEMPT OF COURT RELATIVE TO PROSECUTION WITNESSES QY AND SJ	TC 2



Date	Record Number	Title	TC
20/03/2009	ICTR-00-56-1049	NDINDILYIMANA ET AL - DECISION ON NZUWONEMEYE'S URGENT MOTION FOR ADMISION OF CN'S STATEMENT INTO EVIDENCE	TC 2
24/03/2009	ICTR-96-3-1364	RUTAGANDA - DECISION ON RUTAGANDA'S MOTION FOR ACCESS TO CLOSED SESSION TESTIMONY AND SEALED EXHIBITS OF WITNESS "AWE" RULE 75 OF THE RULES OF PROCEDURE AND EVIDENCE	Trial Team IV
24/03/2009	ICTR-98-44-3829	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR RECONSIDERATION OF DECISION ON BESENGIMANA DISCLOSURE	TC 3
24/03/2009	ICTR-98-44-3825	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR RECONSIDERATION OF CERTIFICATE OF SAFE CONDUCT	TC 3
24/03/2009	ICTR-98-44-3831	KAREMERA ET AL - DECISION ON REQUESTS FOR EXTENSION OF TIME	AC
24/03/2009	ICTR-98-44-3828	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S 25TH NOTICE OF VIOLATION OF RULE 66 AND MOTION FOR REMEDIAL AND PUNITIVE MEASURES:WITNESS T	TC 3
24/03/2009	ICTR-98-44-3827	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR SUBPOENA TO JEAN-MARIE VIANNEY MUDAHINYUKA	TC 3
24/03/2009	ICTR-00-55A-0405	MUVUNYI - DECISION ON THE PROSECUTOR'S APPEAL CONCERNING THE SCOPE OF EVIDENCE TO BE ADDUCED IN THE RETRIAL	Trial Team IV
24/03/2009	ICTR-98-44-3830	KAREMERA ET AL - DECISION ON RUTAGANDA'S MOTION FOR ACCESS TO CLOSED SESSION TESTIMONY AND SEALED EXHIBITS OF WITNESS"AWE"	TC 3
24/03/2009	ICTR-05-88-0154	KALIMANZIRA - CORRIGENDUM DECISION ON DEFENCE MOTION FOR ADMISSION OF CERTAIN MATERIALS FILED 2 MARCH 2009	TC 3
24/03/2009	ICTR-98-44-3826	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S APPLICATION FOR CERTIFICATION TO APPEAL THE DECISION DENYING HIS MOTION TO ADMIT TESTIMONY OF ELIZAPHAN NTAKIRUTIMANA	TC 3
24/03/2009	ICTR-98-41-2321	[MILITARY I] - BAGOSORA ET AL - DECISION ON PROSECUTION MOTION REQUESTING THE TC TO LIFT CONDITIONS ON GRATIEN KABILIGI'S LIBERTY	TC 1
25/03/2009	ICTR-07-91-0244	NSHOGOZA - DECISION ON LEONIDAS NSHOGOZA'S APPLICATION FOR LEAVE TO REQUEST REVIEW OF TRAIL CHAMBER DECISION	AC
25/03/2009	ICTR-99-54-0121	NGIRABATWARE - DECISION ON NGIRABATWARE'S MOTION FOR DISCLOSURE PURSUANT TO RULE 68	TC 2
25/03/2009	ICTR-07-91-0243	NSHOGOZA - DEFENCE COUNSEL APPEAL AS OF RIGHT FROM SANCTIONS DECISIONS	AC
25/03/2009	ICTR-99-54-0122	NGIRABATWARE - DECISION ON DEFENCE MOTION TO VARY TRIAL DATE	TC 2
25/03/2009	ICTR-01-70-0142/1	RUKUNDO - DECISION ON MOTIONS FOR EXTENSION OF TIME	Trial Team IV
25/03/2009	ICTR-04-81-0117	SETAKO - DECISION ON AUGUSTIN BIZIMUNGU DEFENCE MOTION FOR DISCLOSURE OF CLOSED SESSION TESTIMONY AND EXHIBITS OF WITNESS SAA	TC 1
26/03/2009	ICTR-98-44-3836	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION TO RECALL PROSECUTION WITNESS HH	TC 3
26/03/2009	ICTR-05-82-0037	NTAWUKULILYAYO - DECISION ON DEFENCE MOTION ALLEGING BREACH OF PROSECUTION'S DISCLOSURE OBLIGATIONS; CHAMBER'S WARNING TO PROSECUTION COUNSEL; AND SCHEDULING ORDER CONCERNING COMMENCEMENT OF TRIAL	TC 3
26/03/2009	ICTR-98-44-3837	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S MOTION FOR VARIATION OF DECISION REQUIRING IDENTIFYING INFORMATION	TC 3
26/03/2009	ICTR-99-54-0124	NGIRABATWARE - DECISION ON DEFENCE MOTION TO STRIKE THE PROSECUTOR'S REQUEST TO AUGUSTIN NGIRABATWARE TO ADMIT FACTS PURSUANT TO RULE 73 BIS (B)(ii) OF THE RULES	TC 2
26/03/2009	ICTR-99-54-0123	NGIRABATWARE - DECISION ON NGIRABATWARE'S MOTIONS UNDER RULE 66	TC 2
26/03/2009	ICTR-98-44-3838	KAREMERA ET AL - DECISION ON PROSECUTOR'S RULE 68 (D) APPLICATION AND JOSEPH NZIRORERA'S 12 NOTICE OF RULE 68 VIOLATION	TC 3



Date	Record Number	Title	TC
30/03/2009	ICTR-01-63-0303	NCHAMIHIGO - DECISION ON PROSECUTION MOTION ON THE FILING OF THE DEFENCE NOTICE OF APPEAL	AC
30/03/2009	ICTR-98-44-3840	KAREMERA ET AL - JOSEPH NZIRORERA'S APPEAL OF DECISION ON ADMISSION OF EVIDENCE REBUTTING ADJUDICATED FACTS	AC
30/03/2009	ICTR-99-54-0126	NGIRABATWARE - DECISION ON THE PROSECUTION'S MOTION FOR JUDICIAL NOTICE	TC 2
30/03/2009	ICTR-98-44-3845	KAREMERA ET AL - DECISION ON JOSEPH NZIRORERA'S 23RD NOTICE OF RULE 66 VIOLATION AND MOTION FOR REMEDIAL AND PUNITIVE MEASURES: WITNESS ALG	TC 3
31/03/2009	ICTR-04-81-0119	SETAKO - DECISION ON EXTREMELY URGENT AND EX PARTE DEFENCE MOTION FOR COOPERATION OF THE KINGDOM OF BELGIUM	TC 1
31/03/2009	ICTR-98-44-3850	KAREMERA ET AL - CORRIGENDUM TO DECISION ON JOSEPH NZIRORERA'S MOTION TO RECALL PROSECUTION WITNESS HH	TC 3

UN Under-Secretary General for Legal Affairs Visits the Tribunal



Hon. Ms. Patricia O'Brien, the Under-Secretary General for Legal Affairs of the United Nations visited the Tribunal from 24 to 26 March 2009, during which she held talks with ICTR senior officials over the execution of the Tribunal's mandate and its completion

strategy.

During the visit Ms. O'Brien met with the President of the Tribunal Judge Dennis Byron, the Prosecutor Mr. Hassan Bubacar Jallow and the Registrar Mr. Adama Dieng. She also met with all the Judges and held a town hall meeting with staff of the ICTR.

In the meetings Ms. O'Brien was briefed on the progress of the trials, judgement drafting and related issues. Matters pertaining to the residual mechanism of the Tribunal were also discussed.

She also visited the Tribunal's Detention Facilities, holding cells, Career Resource Centre, Staff Welfare facilities and attended a demonstration of Trim and Real Time Transcript.

Speaking during the town hall meeting, Ms. O'Brien expressed her profound gratitude to the Tribunal staff and management for their unwavering commitment to the mission and mandate of the Tribunal. She also underscored the pivotal role they were playing in the promotion of international criminal justice.

In her meeting with the the press Ms. O'Brien stated that the required cooperation of member states in witness relocation, enforcement of sentences and apprehension of fugitives, was of utmost importance to the success of the Tribunal. She added that the remaining thirteen fugitives of the Tribunal will not be

let off the hook at the end of the Tribunal's mandate. Rather, they will be captured by the residual mechanism which will be put in place to address the matter.

Audio-Visual Digitization and Redaction Project

The audio-visual collection of the ICTR is a crucial record of the work and jurisprudence of the Tribunal. The long-term stability of the collections is an important aspect of the preservation of the legacy of the ICTR. Recognizing that digitization is the future of audio-visual archiving, the Judicial Records and Archives Unit (JRAU) of the Court Management Section (CMS) has embarked on a project to digitize all original audio-visual recordings of the courtroom proceedings of the ICTR. It is anticipated that, by the time the ICTR has completed its mandate, over 45,000 hours of unique audio-visual material will have been generated, all of which will be digitized within the framework of this project. The primary goals of the digitization project are to enhance the accessibility of the audio-visual materials, and to ensure their long-term preservation.

Digitization as an audio-visual preservation strategy is a relatively new field, and few archival institutions world-wide have embarked on large-scale digitization projects similar to the one currently underway at the ICTR. To ensure that no information contained in the original recordings is lost as a result of the digitization process, the preservation quality digital audio-visual files will be extremely large. It is expected that the digital copy of the audio-visual collection of the ICTR will require over one petabyte of digital storage space.

Before the audio-visual recordings can be made available to the public, they will be redacted to ensure that all confidential material has been removed from the record. The redaction process will involve the review of all digitized audio-visual material by a team of professional editors who will be responsible for generating a complete, redacted copy of the audio-visual archives of the ICTR. The first phase of the redaction project will be fully implemented in April 2009.



Once the audio-visual material has been digitized and redacted, high resolution digital files can be provided to audio-visual professionals for use in news broadcasts or documentary film productions, and low-resolution compressed audio-visual files can be made available to the general public as streaming video content via the internet. Enhancing the accessibility of the audio-visual records will contribute to the ICTR's outreach initiatives and will enhance the visibility of the ICTR by improving the public's awareness of the work and accomplishments of the Tribunal.

ICTR Deputy Registrar Leaves

Mr. Everard O'Donnell, ICTR Deputy Registrar left the Tribunal at the end of March 2009.

Mr. O'Donnell joined the Tribunal in 2000 as the Chief of Chambers, before being appointed as Deputy Registrar, following the departure of Mr. Lovemore Munlo.



In addition to being an extremely hard working professional, Mr. O'Donnell was designated as a Maasai elder by the community where he lives.

The ICTR would like to wish Everard and his family all the very best in their future endeavours.

Forum on Gender Justice

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Assistant to the ICTR Registrar, Ms. Dior Fall Senior Appeals Counsel, Ms. Renifa Madenga and Ms. Linda Bianchi, Appeals Counsels, and Mr. Bocar Sy, Head of ICTR Communication Cluster. In attendance were also Her Honorable Judge Fatoumata Dembele Diarra, Judge at the International Criminal Court (ICC), His Excellency Serge Brammertz, Prosecutor of ICTY, the Executive-Secretary of Africa Legal Aid (AFLA) Ms. Evelyn Ankumah, as well as Mr. Hervé Rivière, Attaché de coopération, representing the French Minister of Foreign Affairs and Human Rights, Her Excellency, Rama Yade. Also participating were members of the Senegalese Government, Representatives of national women organizations, international non governmental organizations, and other Senegalese women legal practitioners. Various experts, specialists and other prominent speakers discussed the issue of sexual violence against women and the groundbreaking contribution of the ICTR to the development of international gender-based justice.

The participants extensively exchanged, among other themes, a holistic approach to gender justice, recent developments with the ICTR, the delivering of social, economic and cultural rights through National legal frameworks, the support for women at risk in enforcement of gender justice, transitional gender justice, strengthening national, regional and other

systems to combat gender based crimes and violence against women, measures by States to give effect to gender justice provisions of the ICC and UN resolutions, and the need for a steady approach towards a gendered international justice system.

This historic conference was aimed mainly at promoting ICTR jurisprudence in international criminal justice and sensitizing people, government officials and the public opinion to the need for making the perpetrators of sexual violence against women more accountable. The rights of women must be protected if they have to continue playing their role as the driving force behind economic development and social unity.

In his opening remarks, President Abdoulaye Wade highlighted the vital role played by women in rendering justice and promoting national reconciliation, thus pointing to the large representation of women in his Government. President Wade welcomed with satisfaction the noble initiative of ICTR to bring together both female and male experts to assess the achievements of international justice for women in society. *"The role of the gender is instrumental to the good functioning of our society. The place attributed to gender activities can be a measurement of the good health of your community,"* he observed.

The President, the Prosecutor and the Registrar underlined in their respective addresses, the Tribunal's achievements in this field.

The ICTR key principals further commended the leadership of Senegal for their hospitality and fight against sexism and their role in considering gender both as a factor of justice and a factor of development. Mr. Adama Dieng added that *"Wherever injustice and mistreatment are committed against women, it is committed against us. It is committed against the entire society."* The Forum also provided an opportunity to pay a vibrant tribute to the first President of the Tribunal, the Late Judge Laïty Kama, one of the first pioneers of ICTR groundbreaking gender-based jurisprudence.

It is now universally recognized that ICTR has made path-breaking contributions to the development of new jurisprudence in international criminal law especially with regard to gender issues. This earned it the Human Rights Award in May 2003 of the German Friedrich Ebert Stiftung Foundation. Prominent among the achievements are the sentencing to life imprisonment in February 1998 of Jean Paul AKAYESU, former Mayor of Taba, Gitarama marking the first-ever conviction for the crime of genocide by an international criminal court. The Akayesu Judgement was a path breaker in the development of new jurisprudence in international law in that for the first time an international court ruled that rape was a crime of genocide and a crime against humanity when committed with the specific intent of eliminating, in whole or in part, a racial entity. During the Akayesu judgement, ICTR Trial Chamber I, composed of the late Judge Laïty Kama, presiding, Judge Lennart Aspergren and Judge Navanethem Pillay, enunciated a broad definition of rape which included any physical invasion of a sexual nature in coercive circumstances and which was not limited to forcible sexual intercourse. Sexual violence



was also defined as any act of a sexual nature which is committed on a person under circumstances which are coercive. Akayesu was convicted of rape charges based on command responsibility.

In her address to participants, the AFLA Executive-Secretary, Ms. Evelyn Ankumah, partner of the event, underlined the significant role played by the Tribunal in fighting against any form of violence against women. During the two-day discussions, various aspects of the fight for justice for the benefit of women were reviewed and resolutions passed in order to strengthen the contribution and the place of women in society.

The closing ceremony was chaired by the Minister of State in charge of Foreign Affairs, Dr. Cheikh Tidiane Gadio. His Excellency thanked the ICTR for having chosen Dakar as a venue for the Forum as well as the participants for their fruitful contributions. The gender-justice forum enjoyed laudable financial support from the French Minister of Foreign Affairs and Human Rights, Her Excellency, Rama Yade, the "*Organisation Internationale de la Francophonie (OIF)*", the Dutch Government, Oxfam Novib, and active logistical and diplomatic support of the Government of Senegal.

