



ICTR Newsletter

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Judge Dennis Byron Addresses the UN General Assembly



On 15 October 2007, Judge Dennis Byron, President of the ICTR addressed the UN General Assembly

Mr. President, Your Excellencies, Ladies and Gentlemen,

I am greatly honoured to address the distinguished members of the General Assembly. Today, as

President of the International Criminal Tribunal for Rwanda, I am presenting the 12th Annual Report of this Tribunal of its activities from 1 July 2006 to 30 June 2007. I would like to take this opportunity to extend my most sincere congratulations to President Karim, on his election as President of the General Assembly.

The Report demonstrates that the Tribunal's *Trial Chambers* continued to vigorously work at full capacity. They rendered judgements involving five accused and more than 250 interlocutory and pre-trial decisions. Trials involving five other accused have been completed and await judgement. In addition, trials involving 22 accused are in progress. According to our projections, judgements concerning five of them will be delivered early next year. As of today, the cases of the six remaining detainees are at the pre-trial stage. They will be ready to commence in early 2008, as soon as

Tribunals Launch Archiving Study

A key study focussed on the future of the archives of both the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) commenced on 9 October 2007 in The Hague.

Chaired by former ICTY and ICTR Prosecutor, Justice Richard Goldstone, the expert committee undertaking the study will provide the Tribunals with an independent analysis of how best to ensure future accessibility of the archives and will review different locations that may be appropriate for housing the materials. They will, among other things, recommend whether to pursue the establishment of a single joint archive, two separate archives or multiple archives.

Both Tribunals are due to complete their mission in the coming years and are working to put in place a clear archival system that will best serve

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Rwanda EU Diplomats Celebrate UN Day in Arusha



The International Criminal Tribunal for Rwanda (ICTR) celebrated the 62nd Anniversary of the United Nations on 24 October 2007 in the presence of nine European Union (EU) diplomats from Kigali, Rwanda, Tanzanian Authorities and students

from the Arusha Region.

During the celebration, the ICTR Officials namely President, Sir Dennis Byron; Vice President Judge Khalida Rachid Khan; Prosecutor

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Tribunals Launch Archiving Study

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the interests of many stakeholders, especially the communities of Rwanda and the former Yugoslavia, as well as the international community. Numerous important elements regarding the Tribunals' varied and significant archives will be assessed in the study, and the manner in which their security, accessibility and preservation can be protected.

The archives are composed of an extremely large amount of records. For example, the Offices of the Prosecutor possess several million pages of evidence, and the Registries Court Management Support Sections hold several tens of thousands of hours of videotaped courtroom proceedings.

The Tribunals' archives are a unique and invaluable resource for the peoples of Rwanda and the former Yugoslavia, the United Nations and the international community. The many benefits of and uses for the archives include their role to facilitate ongoing and future prosecutions, serve as a historic record, as well as contribute to peace and reconciliation in the regions.

"The work of the independent committee is crucial for the preservation of the legacy of the two tribunals and for the victims, as well as for the future for international criminal justice," said Justice Goldstone.

The committee team, formally entitled the Advisory Committee on the Archives of the UN Tribunals for the former Yugoslavia and Rwanda (ACA), is due to submit its first interim report to the Tribunal's Registrars during the first quarter of 2008. Before then the committee will be visiting all regions involved to consult governments and civil society, as well as also meeting with relevant international non-governmental organisations.

The study is being undertaken by a team of internationally recognised experts in the archives and legal professions. The team dealing specifically with the ICTY archive is composed of Professor Dr. Eric Ketelaar, a former national archivist of the Netherlands, and Cecile Aptel, a former staff member of both the ICTY and ICTR. The ICTR-related team is made up of Professor Dr. Saliou Mbaye, former national archivist of Senegal and Judge M. Chande Othman, Judge at the Tanzanian High Court, former Prosecutor at the East Timor UN administration, and former Chief of Prosecutions at the ICTR.

The study is commissioned on behalf of the Tribunals by the two Registrars, Adama Dieng of the ICTR and Hans Holthuis of the ICTY.

The final decision on ICTY/ICTR archives, property of United Nations, will be taken by the Security Council to which any recommendations based upon this study will be submitted.

ICTR Prosecutor meets Diplomats and Government Officials in Rwanda

During his mission to Rwanda from 15 to 21 October 2007, the Prosecutor of the International Criminal Tribunal for Rwanda (ICTR), Mr. Hassan Bubacar Jallow on Tuesday 16 October 2007 officially opened the European Union financed capacity building seminar on Best Practice in Information and Case Management for Rwandan Prosecutors at Hotel des Mille Collines in Kigali, held meetings with Rwandan government officials and some of the Diplomatic Corps accredited to Rwanda.



L-R: Kigali Central Prison Director Dativa Mukanyangezi, Rwanda's envoy to the ICTR Aloys Mutabingwa, Bubakar Jallow and Ambassador Joseph Mutaboba.

In the meeting held with the European Union Representative, Mr. Jallow briefed the Diplomats about the current status of the Tribunal's work and its completion strategy. The ICTR Prosecutor discussed the ongoing trials, the issue of the transfer of cases to national jurisdictions including Rwanda, and cooperation between the Government of Rwanda and the Tribunal.

The Prosecutor urged the International Community to provide assistance to the Government of Rwanda in its efforts to strengthen the country's judicial capacity.

The ICTR Prosecutor also briefed the Rwandan Minister of Justice, Mr. Tharcisse Karugarama and the Prosecutor General, Mr. Martin Ngoga on the latest developments at the Tribunal. He expressed satisfaction over the achievements made in preparation for transfer of cases to Rwanda. They also discussed common interests including cooperation between the Rwandan Government and the ICTR, the Tribunal's support for capacity building of the Rwandan justice system. Mr. Jallow told the two Rwandan government officials that the Tribunal would continue implementing various projects aimed at strengthening the country's judicial sector.

During his visit, The ICTR Prosecutor toured Kigali Central Prison where he expressed satisfaction on the new cells built for temporary detention of genocide suspects who may be transferred to Rwanda. He said

that this was an indication that Rwanda has the capacity to handle cases from Arusha.

Before ending his mission, the Prosecutor also held a press conference with the local and international media in which he briefed them on the latest developments at the Tribunal and matters related to the Completion Strategy. Mr. Jallow also met with the Tribunal's staff members in Kigali.

ICTY Deputy Prosecutor Visits ICTR



From left to right: Mr. Majola, Justice Jallow and Mr. Tolbert

David Tolbert, Deputy Prosecutor of the International Criminal Tribunal for the former Yugoslavia (ICTY) undertook a working visit to the International Criminal Tribunal for Rwanda from 30 October to 1 November 2007. The Deputy Prosecutor held several meetings with members of the Office of the Prosecutor including Justice Hassan Bubacar Jallow, Prosecutor of the Rwanda Tribunal and his close collaborators including Mr Bongani Majola, counter part of David Tolbert for ICTR

During the meeting, views were exchanged on topics related to Best Practice in Information and Case Management for both ad hoc tribunals. Various other topics were also discussed. The visit is the first of David Tolbert to ICTR. The deputy Prosecutor has an extensive experience in the field of international law and is familiar to the *ad hoc* tribunals. Prior to his current post, he was the Deputy Registrar of the ICTY after serving as Chef de Cabinet to President Gabrielle Kirk McDonald during her presidency and Senior Legal Adviser at the Registry.

ICTR Staff Attend Annual Meeting for Archivists

The 33rd annual meeting of the Section for Archivists of International Organizations [SIO] of the International Council on Archives [ICA] was held from 23 – 26 October 2007. ICA is the professional organization for the world archival community, dedicated to promoting the preservation, development, and use of the world's

archival heritage. ICA has a global network of more than 1,400 institutional members in 190 countries, making it truly international. It also has over 200 archivists and records managers as individual members. The mission of ICA is to promote the preservation and use of archives around the world. In pursuing this mission, ICA works for the protection and enhancement of the memory of the world and to improve communication while respecting cultural diversity. A joint congress of all sections of the ICA is held every four years; the next one is scheduled for October 2008 in Kuala Lumpur.

SIO is the section within the ICA that is comprised of archivists and records managers working in international organizations. Within ICA's general objectives of working for the advancement of archives through international co-operation, SIO aims at promoting professional and scholarly co-operation and communication between archives and archivists of international organizations, achieving recognition of the existence and value of archive services within international organizations, achieving recognition of the professional status of archivist for the international civil servants in charge of archives, and to assist their basic and continuing training, studying the question of preservation, appraisal and description of archives of international organizations, developing access to archives of international organizations, and promoting co-operation with historians and the research community. The 2007 annual meeting was hosted by UN Habitat, and was held at the UN headquarters in Nairobi, Kenya. Further information about the SIO/ICA can be found at http://www.unesco.org/webworld/ica_sio/.

Approximately 50 archivists and records managers from international organizations based all over the world attended the conference. The ICTR was represented by Ayodeji Fadugba, Esther Tawe and Charles Muraya of the Evidence Unit of the Office of the Prosecutor, and Martha Hunt of the Judicial Records and Archives Unit of the Court Management Section.

Among issues discussed at the meeting were a briefing on the development of a recordkeeping community of practices for UN peacekeeping operations, and a presentation regarding the implementation of enterprise content management systems within various UN organizations. Ms. Fadugba presented a tour de table on the work of the OTP Evidence Unit, especially as it relates to the ICTR's completion strategy and legacy issues. Ms. Hunt conducted a training session on the history and principles of audio-visual archiving, and provided some basic guidelines for ensuring the stability and public accessibility of an AV collection. A resolution was adopted during the meeting that the SIO would promote methods of utilizing archives to further causes in the field of human rights. The meeting also included a visit to the UN Habitat project in the Kibera slums of Nairobi and to the National Archives of Kenya.

News from Kigali

- **Training Seminar for Managers of Umusanzu Mini-Centres**

The Legal Library and Reference Section of the ICTR, with the financial support of the European Commission, conducted from 22-27 October 2007 a training seminar on legal documentary techniques, for Rwanda legal staff who will manage Umusanzu Mini-Centres. About 22 participants from the Supreme Court and the Prosecutor General's Office are attending the training that is part of the Tribunal's outreach programme.



The five-day training was to provide them with knowledge that will enable them to efficiently manage the Mini-Centres yet to be established in ten locations in the country. A common database was also

designed using Winisis software. Mr. Mamoudou Touré, ICTR Chief of Administration in Kigali, on behalf of the ICTR Registrar, Mr. Adama Dieng, opened the training.

The training was conducted by Louis Ndiaye, from the Library and Reference Section, Arusha and Jonas Mutwaza of Umusanzu Information Centre Library, in Kigali. The training seminar was part of the ICTR capacity building programme and is financed by the European Union.

- **ICTR Celebrates UN Day in Kigali**



ICTR staff members in Kigali led by the Chief Administrative Officer, Mrs Sarah Kilemi, on Wednesday 24 October 2007 took part in celebrations to mark the United Nations Day at the Tribunal's

Offices Compound in Remera, Kigali. The occasion was marked by a parade mounted by officers from the Security Section followed by the flag raising ceremony at the main entrance to the ICTR Offices in Kigali.

The Staff members later gathered in the Rotunda Hall to hear the United Nations Secretary General's message for the day and the Registrar's statement, both read by the Chief of Administration, Ms. Sarah Kilemi.

Ms. Sarah Kilemi read the Registrar's statement to the staff members

The celebrations by the Kigali office were also marked by other activities including games, music and a dance.

News from The Hague

- **Activity of the Appeals Chamber**

The Appeals Chamber is presently deliberating on the Nahimana et al. and Simba appeal judgements and is preparing the Muvunyi and Seromba cases for hearings. The Appeals Chamber will render the Simba and Nahimana et al. appeal judgements in Arusha on 27 and 28 November 2007, respectively. Additionally, the Appeals Chamber will hear the merits of the appeals in the Seromba case on 26 November 2007 and the Muvunyi case on 27 November 2007.

Further, the Appeals Chamber is deliberating on two interlocutory appeals in the Karemera et al. case. It is also deliberating on a request for reconsideration in the Rutaganda case and is seized of a request for review in the Niyitegeka case. During October, the Appeals Chamber issued a decision on an interlocutory appeal in the Karemera et al. case, as well as decisions or orders concerning four pre-appeal matters.

- **Hearing of testimonies of Witnesses by Video-Conference Link**

Following the Order of 11 September 2007 by Trial Chamber II, composed of Judges Asoka de Silva (Presiding), Taghrid Hikmet and Seon Ki Park, the Other Registry Services Sub-Unit (ORSS-U) of the ACSU has organised and covered, in coordination with the relevant Sections/Units of the ICTR and the ICTY, the hearing of testimonies by video-conference link of two witnesses in October 2007.

Judicial Decisions of the ICTR from 1 to 31 October 2007

Date	Case	Record Number	Title	TC
01/10/2007	SETAKO	ICTR-04-81-0034	PROSECUTOR'S RESPONSE TO DEFENCE APPLICATION FOR CERTIFICATION TO APPEAL THE DECISION ON PROSECUTION'S REQUEST TO AMEND INDICTMENT	TC 1
01/10/2007	SETAKO	ICTR-04-81-0035	PROSECUTOR'S RESPONSE TO DEFENCE APPLICATION FOR CERTIFICATION TO APPEAL THE DECISION ON PROSECUTOR'S MOTION FOR PROTECTIVE MEASURES	TC 1
01/10/2007	KAREMERA ET AL	ICTR-98-44-3107	ORDER FOR SUBMISSIONS ON THE PROSECUTION PROSPECTIVE EXPERTS WITNESSES (RULES 54 AND 94BIS OF THE RULES OF PROCEDURE AND EVIDENCE)	TC 3



Date	Case	Record Number	Title	TC
01/10/2007	BIKINDI	ICTR-01-72-0264/1	DECISION ON EXPARTE AND CONFIDENTIAL APPLICATION FOR SUBPOENAS (RULES 54, 75,90 (A) OF THE RULES OF PROCEDURE AND EVIDENCE	TC 3
01/10/2007	KAREMERA ET AL	ICTR-98-44-3103	DECISION SUPPLEMENTING THE CHAMBER'S PRIOR ORDER FOR THE TRANSFER OF PROSECUTION WITNESSES FROM RWANDA (RULES 90 BIS OF THE RULES OF PROCEDURE AND EVIDENCE)	TC 3
01/10/2007	KAREMERA ET AL	ICTR-98-44-3104	DECISION ON DEFENCE MOTION FOR SUBPOENAS TO PROSECUTION WITNESSES (RULES 54 AND 98 OF THE RULES OF EVIDENCE AND PROCEDURE)	TC 3
01/10/2007	BIKINDI	ICTR-01-72-0264/2	DECISION RELATIVE A LA REQUETE DE LA DEFENSE INTITULEE EX PARTE AND CONFIDENTIAL APPLICATION FOR SUBPOENAS	TC 3
02/10/2007		ICTR-98-44-3109	DECISION ON DEFENCE MOTION FOR COOPERATION OF RWANDA TO OBTAIN STATEMENTS OF PROSECUTION WITNESSES ALG, GK AND UB (ARTICLE 28 OF THE STATUTE OF THE TRIBUNAL)	TC 3
02/10/2007	KAREMERA ET AL	ICTR-98-44-3111	DECISION ON PROSECUTOR'S APPLICATION FOR CERTIFICATION TO APPEAL THE CHAMBER'S DECISION ON JOSEPH NZIRORERA'S MOTION FOR INSPECTION OF STATEMENT OF PIERRE CELESTIN MBONANKIRA AND DECISION ON PROSECUTION ON CROSS-MOTION FOR ENFORCEMENT	TC 3
02/10/2007	KANYARUKIGA	ICTR-02-78-0038/1	DESIGNATION OF A TC FOR THE REFERRAL OF THE CASE OF GASPARD KANYARUKIGA TO RWANDA	Chamber Pending
02/10/2007	MUNYAKAZI	ICTR-97-36A-0015	DESIGNATION OF A TC FOR THE REFERRAL OF THE CASE OF YUSSUF MUNYAKAZI TO RWANDA	TC 3
03/10/2007	RUKUNDO	ICTR-01-70-0346	DECISION ON DEFENCE REQUEST TO MEET THE ACCUSED DURING HIS EXAMINATION-IN-CHIEF	TC 2
03/10/2007	RUKUNDO	ICTR-01-70-0345	DECISION ON DEFENCE MOTION FOR VIDEO-LINK TESTIMONY FOR WITNESS SLB	TC 2
03/10/2007	KAREMERA ET AL	ICTR-98-44-3115	DECISION ON JOSEPH NZIRORERA'S MOTION FOR RECONSIDERATION OF SANCTIONS (RULE 73 OF THE RULES OF PROCEDURE AND EVIDENCE)	TC 3
03/10/2007	KAREMERA ET AL	ICTR-98-44-3118	DECISION ON NZIRORERA'S MOTION FOR FURTHER EXTENSION OF TIME	TC 3
04/10/2007	RUKUNDO	ICTR-01-70-0347/2	OBSERVATIONS DU GREFFIER PRESENTES EN APPLICATION DE L'ARTICLE 33 B) DU REGLEMENT DE PROCEDURE ET DE PREUVE EN REPONSE A LA "REQUETE EN EXTREME URGENCE AUX FINS DE COMMUNICATION DU RAPPORT D'ENQUETE ORDONNEE PAR LA CHAMBRE DANS SA DECISION DU	TC 2
04/10/2007	NYIRAMASUHUKO ET NTAHOBALI	ICTR-97-21-0945	DECISION ON NTAHOBALI'S MOTION TO HAVE COUNSEL PRESENT DURING WITNESS NMBMP'S TESTIMONY	TC 2
05/10/2007	KAREMERA ET AL	ICTR-98-44-3134	DECISION ON NZIRORERA'S INTERLOCUTORY APPEAL CONCERNING HIS RIGHT TO BE PRESENT AT TRIAL	AC



Date	Case	Record Number	Title	TC
05/10/2007	KAREMERA ET AL	ICTR-98-44-3132	DECISION ON NZIRORERA'S MOTION TO REJECT PROSECUTION RESPONSE	AC
05/10/2007	KAREMERA ET AL	ICTR-98-44-3133	DECISION ON NGIRUMPATSE'S MOTION FOR RECONSIDERATION	AC
05/10/2007	SETAKO	ICTR-04-81-0038	DECISION ON DEFENCE MOTIONS FOR RULE 68 DISCLOSURE	TC 1
05/10/2007	SETAKO	ICTR-04-81-0039	DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL PROTECTIVE MEASURES	TC 1
08/10/2007	KAREMERA ET AL	ICTR-98-44-3122	MEMOIRE POUR M. NGIRUMPATSE SUR LA REQUETE DU PROCUREUR AUX FINS D'OBTENIR LE REEXAMEN DES DECISIONS ORALES DU 25 JUIN 2007 ET DU 3 JUILLET 2007 (SIC) RELATIVES A L'ADMISSION EN PREUVE DES DOCUMENTS I-P005 ET I-P006	TC 3
09/10/2007	SETAKO	ICTR-04-81-0040	DECISION ON DEFENCE MOTION FOR CERTIFICATION TO APPEAL THE DECISION ON AMENDMENT OF THE INDICTMENT	TC 1
09/10/2007	KAREMERA ET AL	ICTR-98-44-3128	DECISION ON NZIRORERA'S APPLICATION FOR CERTIFICATION TO APPEAL DENIAL OF MOTION TO OBTAIN STATEMENTS OF WITNESSES ALG AND GK (RULE 73 (B) OF THE RULES OF PROCEDURE AND EVIDENCE)	TC 3
09/10/2007	BIZIMUNGU ET AL	ICTR-99-50-1720	DECISION ON JUSTING MUGENZI'S MOTION FOR THE RECALL OF THE PROSECUTION WITNESS FIDELE UWIZEYE FOR FUTHER CROSS EXAMINATION	TC 2
09/10/2007	ZIGIRANYIRAZO	ICTR-01-73-0625	DECISION ON MOTION TO VARY THE DEFENCE WITNESS LIST (RULE 73 TER OF THE RULES OF PROCEDURE AND EVIDENCE)	TC 3
10/10/2007	ZIGIRANYIRAZO	ICTR-01-73-0626/1	LIST REVISEE SUIVANT LA DECISION DU 9 OCTOBRE 2007 INTITULEE (DECISION ON THE DEFENCE MOTION TO VARY THE WITNESS LIST ANNEXE A LA LISTE PROVISOIRE DE TEMEOINS SUIVANT LA REGLE 73 TER B) II)	TC 3
10/10/2007	ZIGIRANYIRAZO	ICTR-01-73-0626/2	LIST REVISED FOLLOWING THE DECISION OF 9 OCTOBER 2007 ENTITLED : DECISION ON THE DEFENCE MOTION TO VARY THE WITNESS LIST	TC 3
15/10/2007	KAREMERA ET AL	ICTR-98-44-3136	JOSEPH NZIRORERA'S SECOND INTERLOCUTORY APPEAL OF DECISION ON OBTAINING PRIOR STATEMENTS OF PROSECUTION WITNESSES AFTER THEY HAVE TESTIFIED	AC
16/10/2007	KAREMERA ET AL	ICTR-98-44-3141	PROSECUTOR'S RESPONSE TO JOSEPH NZIRORERA'S MOTION FOR ACCESS TO CONFIDENTIAL DECISION, FOR EXTENSION OF TIME TO FILE RESPONSE, AND FOR FILING OF PROSECUTION APPEAL AS PUBLIC DOCUMENT	AC
16/10/2007	KAREMERA ET AL	ICTR-98-44-3140	PROSECUTOR'S INTERLOCUTORY APPEAL PURSUANT TO RULE 73 (C), RESPECTING THE DECISIONS OF TC III ON JOSEPH NZIRORERA'S MOTION FOR INSPECTION AND ON PROSECUTION CROSS-MOTION FOR ENFORCEMENT OF RECIPROCAL DISCLOSURE [RULE 66(B), RU	AC
18/10/2007	BIZIMUNGU ET AL	ICTR-99-50-1728	DECISION ON DEFENDANT BICAMUMPAKA'S MOTION PROTECTION MEASURES FOR CERTAIN DEFENCE WITNESSES (RULE 54, 69 AND 75 OF THE RULES OF PROCEDURE AND EVIDENCE	TC 2
19/10/2007	KANYARUKIGA	ICTR-02-78-0041/2	DECISION RELATIVE A LA REQUETE DE LA DEFENSE DEMANDANT UNE PROROGATION DE DELAI POUR POUVOIR REPONDRE A LA REQUETE DU PROCUREUR EN MODIFICATION DE L'ACTE D'ACCUSATION	TC 1



Date	Case	Record Number	Title	TC
19/10/2007	KANYARUKIGA	ICTR-02-78-0041/1	DECISION ON DEFENCE MOTION FOR EXTENSION OF TIME TO RESPOND TO PROSECUTION REQUEST TO AMEND THE INDICTMENT	TC 1
19/10/2007	KANYARUKIGA	ICTR-02-78-0051	ICYEMEZO KU CYIFUZO CY'UBWUNGANIZI GISABA KONGERERWA IGIHE CYO GUSUBIZA ICYIFUZO CYA POROKIRERI GISABA GUHINDURA INYANDIKO	TC 1
22/10/2007	KANYARUKIGA	ICTR-02-78-0042/2	DECISION RELATIVE A LA REQUETE DE LA DEFENSE DEMANDANT UNE PROROGATION DE DELAI ET DES TRADUCTIONS DE LA REQUETE DU PROCUREUR DU 7 SEPTEMBRE 2007	TC 1
22/10/2007	KANYARUKIGA	ICTR-02-78-0042/1	DECISION ON DEFENCE REQUEST FOR EXTENSION OF TIME AND TRANSLATION	TC 1
22/10/2007	KANYARUKIGA	ICTR-02-78-0052	ICYEMEZO KU CYIFUZO CY'UBWUNGANIZI GISABA KONGERERWA IGIHE NO GUHABWA INYANDIKO Y'ICYIFUZO CYA POROKIRERI IHINDUWE MU RURIMI RW'IKINYARWANDA	TC 1
23/10/2007	NDINDILIYIMANA ET AL	ICTR-00-56-0858	DECISION ON AUGUSTIN BIZIMUNGU'S REQUEST TO VARY HIS WITNESS LIST (Rule 73ter(E) of the RPE)	TC 2
25/10/2007	KAREMERA ET AL	ICTR-98-44-3150	DECISION ON JOSEPH NZIRORERA'S NOTICES OF RULE 68 VIOLATIONS AND MOTIONS FOR REMEDIAL AND PUNITIVE MEASURES	TC 3
25/10/2007	NDINDILIYIMANA ET AL	ICTR-00-56-0860	NZUWONEMEYE DEFENCE REPLY TO PROSECUTOR'S RESPONSE TO NZUWONEMEYE DEFENCE MOTION ON DEFECTS IN THE FORM OF THE INDICTMENT IN LIGHT OF THE CHAMBER'S DECISIONS IN RESPECT TO THE DEFENCE 98BIS MOTIONS AND PURSUANT TO RULE 72(F)	TC 2
25/10/2007	KAREMERA ET AL	ICTR-98-44-3156	DECISION ON PROSECUTION PROSECUTIVE EXPERT WITNESSES ALISON DES FORGES, ANDRE GUICHAOUA AND BINAIFER NOWROJEE	TC 3
26/10/2007	NDINDILIYIMANA ET AL	ICTR-00-56-0862	DECISION ON BIZIMUNGU'S EXTREMELY URGENT MOTION TO CONTACT AND MEET WITH PROSECUTION WITNESS GAP (Article 54 and 75 of the RPE)	TC 2
26/10/2007	BIZIMUNGU ET AL	ICTR-99-50-1732	DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MS. MARIE-PIERRE POULAN, CO-COUNSEL FOR THE ACCUSED PROSPER MUGIRANEZA, THE PROSECUTOR V. CASIMIR BIZIMUNGU ET AL ICTR-199-50-T	TC 2
29/10/2007	KAREMERA ET AL	ICTR-98-44-3160	REPLY BRIEF: JOSEPH NZIRORERA'S SECOND INTERLOCUTORY APPEAL OF DECISION ON OBTAINING PRIOR STATEMENTS OF PROSECUTION WITNESSES AFTER THEY HAVE TESTIFIED	AC
30/10/2007	KAREMERA ET AL	ICTR-98-44-3166	DECISION ON JOSEPH NZIRORERA'S MOTION TO EXCLUDE THE TESTIMONY OF PROSECUTION WITNESS UPENDRA BAGHEL	TC 3
30/10/2007	KAREMERA ET AL	ICTR-98-44-3164	DECISION ON PROSECUTION MOTION FOR ADMISSION INTO EVIDENCE OF CERTAIN EXHIBITS FROM OTHER TRIALS	TC 3
30/10/2007	KAREMERA ET AL	ICTR-98-44-3163	DECISION ON PROSECUTION MOTION FOR ADMISSION INTO EVIDENCE OF UNAMIR DOCUMENTS	TC 3
31/10/2007	KAREMERA ET AL	ICTR-98-44-3168	PEPLIQUE DE M. NGIRUMPATSE SUR LA (REPLIQUE CONSOLIDEE DU PROCUREUR) EN DATE DU 9 OCTOBRE 2007 SUR LA PROSECUTOR'S MOTION FOR RECONSIDERATION OF ORAL DECISIONS OF 25 JUNE 2007 AND 03 JULY 2007 CONCERNING ADMISSION IN EVIDENCE	TC 3
31/10/2007	NDINDILIYIMANA ET AL	ICTR-00-56-0866	DECISION ON BIZIMUNGU'S REQUEST FOR VIDEO-LINK TESTMONIES OF WITNESSES DC2-2 AND DE8-6	TC 2

Aiding Peace and Justice in a Foreign Land

Reverberations are still being felt from the mass killings of ethnic Tutsis and moderate Hutus in Rwanda in 1994, and a St. John's graduate is playing an essential role in helping to bring about justice for the victims.



Angeline Djampou '93G spoke on 10 October 2007 in St. Augustine Hall at the Queens campus where she shared her experiences working for the International Criminal Tribunal for Rwanda (ICTR). Djampou, who is originally from Cameroon, is the chief of the Legal Library and Reference Section at ICTR in Arusha, Tanzania. She stood before a rapt audience as she offered her insider's view of the work currently being done in

Rwanda.

The ICTR was created by a 1994 United Nations resolution which recognized that serious violations of humanitarian law were committed in Rwanda. Hundreds of thousands of Rwandans were brutally slaughtered and part of the purpose of creating the ICTR was to contribute to the process of national reconciliation in Rwanda and to the maintenance of peace in the region. The organization was established specifically for the prosecution of persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and also deals with the prosecution of Rwandan citizens responsible for genocide and other such violations of international law committed during the same period in the territory of neighboring states.

During her presentation, Djampou offered a bit of history of the ICTR and told her audience of her work in the library which is charged with providing, assisting and making available to the Trial Chambers, the Registry, the Office of the Prosecutor, defense counsel, legal officers and all the ICTR staff the information and documentation they require to accomplish their duties. Djampou said that with the work of the ICTR, no longer can those in elevated positions rely on their status to escape punishment. The presence of ICTR has contributed to greater access to information, the promotion of libraries and the proliferation of greater training, she said. According to Djampou, members of the ICTR investigated and formulated cases against some of the accused with the first prosecutions occurring in 1998. At present, she said, there are: 29 accused on trial; 27 judgments completed for 33 accused; six cases on appeal; six accused awaiting trial; and 18 accused still at large.

While there is still a dearth of libraries in the country – including the lack of a public library system – Djampou said they play an invaluable role to the populace. The

library was the first to offer training initiatives, she said, and even though the legal libraries are specialized, Djampou said they are of great importance. "I personally have seen how giving people access to information can change their lives, I've seen that in Rwanda," she said. "I believe that providing access to information can also prevent genocide."

A graduate of St. John's library science master's program, Djampou previously held positions as a librarian at the French Cultural Center in Abidjan, Cote d'Ivoire, as well as at the USAID and also served as an Environmental Information Manager at the African Development Bank, also in Abidjan. She has been with ICTR since 2001 and said it was very important to her to return to alma mater to speak about her experiences. "I'm a librarian because of St. John's so I really, really wanted to come and share what I am doing with the St. John's community," she said after her lecture. "I am very proud of the training I received here." Dr. Jeffery Olson, Associate Provost for Online Learning and Services and Director of Library and Information Science at St. John's, praised Djampou for her work, her desire to see the need for libraries in the country furthered beyond the need for courts and for "her concerns for the people of Rwanda and Africa." "Angeline is a living example of ways in which we want our graduates to further the University's Vincentian mission," he said. "Her plans exemplify a true Vincentian spirit. I am grateful that our students had the opportunity to see and hear her."

ICTR participates in 12th International Conference on Violence, Abuse and Trauma

The ICTR was represented by the Gender Adviser Intermediate Office of the Registrar, Ms. Elsie Effange- Mbella at the 12th



International Conference on Violence, Abuse and Trauma which held in San Diego- California, United States from 15- 20 September 2007. The theme of the conference was "moving from dialogue to action". It brought together about 1,000 professionals working to prevent violence, abuse and trauma in their communities to exchange views and strategies on the prevention of all forms of violence abuse and trauma. Topics covered included multi-ethnic and multi-cultural issues and perspectives; multidisciplinary and international perspectives; networking and advocacy; cutting -edge research; prevention strategies, policy changes; new methods; criminal justice and legal issues; healthcare approaches; intervention techniques; advanced clinical sessions and capacity-building opportunities on violence, abuse and trauma management.

The Gender Adviser participated fully in all of the sessions as mentioned above. The highlight of her participation was during the poster session and

international reception of Monday 17 September 2007 where she briefed conference participants on the work and achievements of the ICTR in the prevention of sexual violence and the promotion of trauma management. The ICTR's policies and support measures for the physical and psychological rehabilitation of witnesses, especially victims of rape and sexual assault was fully elucidated at this forum. She also debriefed participants on the need for extra-budgetary resources by way of voluntary contributions to the ICTR Trust Fund in view of the sustainability of the ICTR's projects designed to support the physical rehabilitation of witnesses especially survivors of rape and other gender based crimes. Ms Effange-Mbella's intervention mobilized much awareness and support among participants for the ICTR's extra-budgetary activities in support of witnesses and victims of sexual assault called to testify at the Tribunal.

ICTR Participates in UN Day Ceremony in Dar es Salaam

The Tribunal on 24 October 2007 joined other United Nations agencies in Tanzania to mark the 62nd UN anniversary celebrations at the Karimjee Hall in Dar es Salaam by taking part in a joint exhibition of the world body's activities in the country.

The ICTR was represented at the exhibition by Mr. Danford Mpumilwa, Associate Information Officer and Ms. Rani Dogra, Editorial Assistant from the Public Affairs and Information Unit.

During the exhibition attended by thousands of members of public, students, diplomats and Government leaders the ICTR distributed leaflets, brochures and information on its work. Also on display were posters on the work of the Tribunal. The Tribunal also briefed members of the press on latest developments at the ICTR, and in particular its completion strategy.



The guest of honour, Acting Minister for Foreign Affairs and International Co-operation and Minister of Justice and Constitutional Affairs Dr. Mary Nagu commended the good work being undertaken by the UN in the country in promoting development.

In his remarks the UN Resident Coordinator Mr. Oscar Fernandez-Taranco, pledged the UN continued support to the people and Government of Tanzania in the many sectors working to uplift their standard of life.

The ceremonies at the Karimjee Hall included some cultural dances and a military parade apart from the

normal flag raising ceremony.



UN Resident Coordinator Mr. Oscar Fernandez-Taranco

ICTR Family Fun Party

The Theme of the 62 Anniversary of the UN was "A Stronger UN for a Better World".

The Public Relations Committee of the ICTR Staff Association organized a Family Fun Day for the staff at the grounds of General Tyre Company. They organized games for children and adults including tug of war, spoon and egg, sack race, relay, and exciting prizes were won. Children from Malaika Orphanage, USA River Orphanage and Samaritan Village, Moshono also participated in all these activities.

The occasion was also graced by the Registrar of the Tribunal, Mr. Dieng and the Prosecutor, Justice Jallow.

The final highlight of the fun-filled day was a football match between ICTR staff and Arusha Referees Coaches. ICTR won with a score of 4 to 1. Well done staff!

Staff members and spouses from different countries prepared delicious national dishes that were enjoyed by all, especially the children. There were drinks galore and the national preferred dish—roasted meat!

The Public Relations Officer of the Staff Association Ms. Ana Maria Mchaki has given special thanks to the organizing committee of the staff association headed by the President of the staff Association Mr. Optatus Nchimbi. She also thanks her subcommittee who were instrumental in ensuring that the day was a success. The members were Albert Dadson, OloLade Benson, Wallace Kapaya, Olofunke Jegede, Levina Moshu and Saida Kessy as well as the master of ceremony Mr. Ibukunolu Babajide.

Photos of the UN Fun Day on the last page



Rwanda EU Diplomats Celebrate UN Day

Continued from p. 1

Hassan Bubacar Jallow; Registrar Adama Dieng and the President of the Staff Association, Mr. Optatus Nchimbi, called upon the staff and the participants to work harder for a better world, a world of justice and a world of peace. They all invited the staff and the gathering to rededicate themselves to the pursuit of the noble ideals of the United Nations. They also acknowledged and shared the message of the Secretary-General, Mr. Ban Ki-moon, which focused on multilateralism, conflict prevention, peace making, peacekeeping, peace building, disarmament, arms non-proliferation, climate change and the collective effort that is needed to fulfill the Millennium Development goals, particularly in Africa.

The Delegation of the EU diplomats led by H. E. Jeremy Macadie, Ambassador of the United Kingdom in Kigali, Rwanda had been visiting the Tribunal from 22 to 24 October 2007. During their visit, the Ambassadors held fruitful meetings with the Tribunal senior officials including, the President, the Prosecutor, the Registrar and their close collaborators. Among the issues discussed were the ICTR's Completion Strategy, the arrest of fugitives, the cooperation and judicial assistance from member states, the ICTR's effort in the judicial capacity building including implementation of outreach activities in Rwanda, the legacy/residual mechanism issues.

The Kigali EU Delegation was composed of Mr. Jeremy Macadie, Ambassador of the United Kingdom; Mr. David MacRae, Ambassador, Head of European Commission in Rwanda; Mr. Peter Schönherr, Ambassador of The Netherlands; Mr. François Roux, Ambassador of Belgium; Mr. Christian Clages, Ambassador of Germany; Mrs. Gabriele WinaiStröm and Ms. Jenny Ohlsson from the Embassy of Sweden.

Judge Byron Addresses UN General Assembly

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Trial Chamber and courtroom capacity permit.

The *Appeals Chamber* heard and disposed of an increased number of cases between July 2006 and June this year. Judgements on appeal were delivered concerning six individuals, bringing the total number of persons whose appeals are completed to 19. During the reporting period, over 100 interlocutory decisions and pre-appeal orders and decisions were delivered. Four accused have pending appeals. As a result of the 10 anticipated judgements to be delivered early next year, we expect that the workload of the Appeals Chamber will progressively and substantially increase.

The efforts of the **Prosecutor**, Mr. Hassan Jallow, continued to be focused on securing the arrest of the accused still at large, notably Félicien Kabuga. The three organs of the Tribunal have been constantly sensitising the international community on the importance of this issue. The Prosecutor, in particular, has conducted diplomatic missions to several States

and has deployed investigators to track the fugitives. Following a report submitted by the three Principals of the Tribunal, Interpol's 19th African Regional Conference passed, in July this year, a resolution for all National Central Bureaus to provide assistance in arresting the remaining fugitives. By October 2007, three of them were arrested in coordination with INTERPOL. I would, on behalf of the Tribunal, like to thank INTERPOL, and the National Law Enforcement Agencies of the countries in which the fugitives were arrested, for their efforts.

During the reporting period, the **Registry**, headed by Mr. Adama Dieng, continued to play a crucial role in the work of the Tribunal by providing administrative and judicial support to all its trials. The continuous diplomatic efforts of the Office of the Registrar led to successful cooperation and assistance of Members States with the Tribunal, including the relocation of acquitted persons. Moreover, the Registry worked successfully to enhance the public image of and interest in the work of the Tribunal by carrying out a diverse range of public relations activities in Rwanda. The Outreach Programme also greatly contributed to capacity building in Rwanda, by organizing visits to the seat of the Tribunal as well as training sessions, and producing documentaries and other publications.

Honourable Members of the Assembly, I assure you that all sections of the Tribunal are coordinating their efforts to achieve its mandate and to complete its work at the earliest date possible.

In addition, the Tribunal continues to coordinate its efforts with those of the International Criminal Tribunal for Former Yugoslavia and the UN Office of Legal Affairs in addressing the residual mechanisms that are needed to achieve its work and promote its legacy.

However, the continued **assistance and co-operation of Member States** is paramount to the successful accomplishment of our vital mission. It is critical for securing the arrest of the 15 accused still at large. The nations represented here today must recognize the risks posed to achieving international justice if they remain fugitives. It is clear that the Tribunal's mandate as defined by the Security Council may require that some of the remaining fugitives be considered as candidates for trial at the Tribunal itself. The date of their arrest and transfer to the Tribunal may impact on the ability of the Tribunal to effect timely completion of all trials at first instance. The referral of cases, the serving of sentences for convicted persons, the relocation of acquitted persons and convicted persons who have served their sentences, are all issues that require the assistance of Member States and need to be urgently addressed as the Tribunal moves forward. Currently there are 6 pending referral cases before the Tribunal.

Strengthening the **Rwandan judicial capacity** is a key component of the Tribunal's mandate to bring justice, stability and reconciliation in the region. As fully described in the Annual Report, the Tribunal provides support in Rwanda to the judicial sector, the civil society and academic institutions through its capacity building and Outreach Programmes. These, and many



other activities, were made possible by the gracious financial assistance of the European Commission and the ICTR Voluntary Trust Fund established in response to General Assembly resolution 49/251 on 20 July 1995 to support essential work programs that are not adequately funded by the assessed budget. I invite Member States to replenish the Fund and sustain these projects which defend the ICTR's legacy and meet the completion milestones set out by the Security Council.

Successful completion of trials will be realized thanks to the highly dedicated work of Tribunal staff. However, I should emphasize the fact that the Registry continues to be faced with challenges related to **retention of staff**. Staff departures are on the rise. Unless something is done to slow down this trend there is the likelihood that this could negatively impact on the completion strategy. The vacancy rate is continuously increasing. By the end of September 2007, it reached 20 percent for professional staff and above, as staff members continue to leave the Tribunal for more stable jobs. This situation is aggravated by the difficulties in recruiting new staff as the Tribunal moves closer to completion. The Tribunal calls upon you, Honourable Member States, to come up with a mechanism addressing their concern in order to ensure adequate resources are availed to the Tribunal for successful and timely completion of its work.

The 12th Annual Report shows that a high level of performance has been achieved and that the workload of the Tribunal is under control. It also demonstrates the unwavering commitment of the Tribunal to its mandate to bring justice and reconciliation in Rwanda and in the region, while upholding due process. At this juncture, I would like to pay special tribute to all Judges of the Tribunal with special emphasis on the *ad litem* Judges who have continued to contribute greatly to the Tribunal's achievements.

Since the beginning of its trial proceedings in January 1997, the Tribunal arrested 75 individuals from the 90 indicted persons including the former Prime Minister Jean Kambanda, and 14 other members of his interim Government of Rwanda as well as many senior political and military leaders, journalists, intellectuals, religious and youth leaders and businessmen. Judgements against 33 of those individuals have been delivered in first instance, 28 were sentenced to prison terms ranging from five years to life imprisonment while five persons were acquitted. During the next 15 months the Tribunal will be moving to the rapid completion of the trials of the remaining 42 persons who have already been arrested, and to the arrest and trial of some or all of the 15 fugitives. But, I am sure that you all will agree with me that 15 months constitutes a daunting challenge.

I must recall that in the founding Resolution of the ICTR the Security Council explained that the motive for setting up the tribunal was to bring peace to the Great Lakes Region and to deter the concept of impunity for mass atrocity. It is significant that for those political purposes, a judicial institution was established. At first glance, the Tribunal might be judged as a success or

failure by certain political criteria. But there are legal criteria by which it **must** be judged as a court. It will be held to have succeeded or failed by the credibility and fairness of its trial process. More importantly, I submit, that the explicit political purpose in its creation may best be served by its success as a court and the fairness of its process. While the Tribunal has introduced measures to speed up trials it is critically important to ensure that essential fair trial rights are not prejudiced so that no reasonable onlooker could regard the process or the end result as unfair.

Nonetheless, the political impact of the Tribunal's work has already extended beyond the number of persons prosecuted and judgements rendered. Through the trial proceedings and judgements, it has established an essential judicial record of the grave violations of international humanitarian law committed in 1994 in Rwanda. It has built an impressive and unprecedented body of jurisprudence of both substantive international criminal law and procedure. Its leading decisions and judgements are already providing essential guidance for national and international courts designed to enforce international humanitarian law, such as the Special Court for Sierra Leone or the International Criminal Court. It has influenced and will continue to influence legal and constitutional reforms in Rwanda and the Great Lakes Region.

One of the fundamental and lasting contributions of the Tribunal is bringing justice to the peoples of Rwanda and the Great Lakes Region. Justice is an essential element of peace and reconciliation. There will be no lasting peace if there is no credible international justice perspective that unites on a higher level, the peoples of Rwanda and the Great Lakes Region, who have suffered from the heinous crimes committed in 1994. It is still as true as it was 12 years ago when the late Judge Laity Kama presented in the first Annual Report of this Tribunal to this distinguished body, in which, he stressed that "if justice is not done, there may be no end to hatred ..."

I want to take this opportunity to thank Your Excellencies for your dedicated support to the Tribunal over the years which has been instrumental in furthering the common practice worldwide to fight against the impunity of those responsible for war crimes, crimes against humanity and genocide. I stand before you to reiterate our unwavering commitment to the mandate given to the Tribunal, to the implementation of its completion strategy, and to bringing to justice those persons who were most responsible for genocide and violations of international humanitarian law in Rwanda in 1994. Our work will not be completed until we establish the guilt or innocence of the accused, bring justice to victims of the massive crimes that were committed and establish a record of facts that can aid reconciliation in Rwanda. I, respectfully, request the continued assistance of all Member States as we pursue our commitment to complete the trials and to guarantee the triumph of international justice and the fight against impunity. Thank you.



ICTR Family Fun Day in Pictures

