



# ICTR NEWSLETTER



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## The Security Council Considers ICTR's Completion Strategy

The President and the Prosecutor of the ICTR on 16 December 2006 in New York provided an update to the UN Security Council on its completion strategy. In that regard, the President and the Prosecutor both confirmed that the Tribunal is on schedule to complete

cases involving between sixty-five and seventy accused persons by the end of 2008, as envisaged in the ICTR completion strategy.

The President, Judge Erik Møse stated that a total of 32 accused persons have

now received judgments following their trials before the ICTR. He stated that another four judgments following recently concluded trials are expected soon. The President reported that nine trials, involving 25 accused persons are currently in progress with several judgments due to be rendered in 2007.

The President in his report also confirmed that a total of nine

reported that during the same period, several new trials had commenced as planned.

The Prosecutor reported that there had however been no arrest of fugitives during the said period. Justice Jallow further reported that he was confident that all ongoing trials as well as those earmarked for trial in Arusha, save for those relating to top level fugitives such as Felicien Kabuga would conclude during 2007 and 2008.

The Prosecutor reported that his focus in the coming year will be geared towards the timely and efficient conclusion of the ongoing trials, the preparation of additional cases for trial, the intensification of the tracking and arrest programme, as well as the referral of cases to national jurisdictions.

In that regard, the Prosecutor reported that it is proposed that 5 of the 9 detainees awaiting trial at the ICTR

together with 12 out of the 18 fugitives indicted by ICTR would be referred to the Republic of Rwanda for trial whilst, the remaining 6 high-level fugitives are earmarked for trial in Arusha.

The Prosecutor also called upon the Security Council to request member states to cooperate in tracking fugitives and to assist with capacity building in those countries such as Rwanda which have indicated their

willingness to accept cases on referral from the Tribunal.

The Prosecutor reaffirmed the commitment of the Tribunal to attaining the completion deadlines. Finally, Justice Jallow paid tribute to the outgoing UN Secretary-General, H.E Mr. Kofi Annan for his support to the work of the Tribunal and his commitment to the struggle against impunity.



Erik Møse (left), President of the ICTR and Fausto Pocar, President of the Appeals Chamber and the ICTY



Hassan B. Jallow, Prosecutor of the ICTR (left) and Joseph Nsengimana (right), Permanent Representative of the Republic of Rwanda to the UN

detainees are currently awaiting trials. Finally, the President reiterated the need for member states to cooperate in the arrest and transfer of all indictees still at large to the ICTR, as well as to receive acquitted persons.

In his report, the Prosecutor of the ICTR, Mr. Justice Hassan Jallow reported that since his last report to the Security Council in June 2006, five trials which were ongoing during the said period have now been completed. He further

**The Public Affairs & Information Unit wishes all our readers a Happy and Prosperous New Year**

### In this issue

Prosecutor & Registrar call on UN Secretary-General.....	2
Appeals Chamber Concludes Hearing in Media Case.....	2
The ACHPR: A Reality.....	3
Nigerian Institute of Advanced Legal Studies Visits ICTR.....	3
ICTR Judicial Activities.....	4
News from The Hague.....	6
Cooperation with the Great Lakes.....	7
ICTR Training.....	7
Visitors to the ICTR.....	7
Statements to the UN Security Council	8
ICTR Judicial Decisions.....	11

**Editor:** Bocar Sy  
**Associate Editor:** Danford Mpumilwa  
**Layout/Design:** Rani Dogra  
**Contributions:** Koffi Afande, Abigail Eshel, Tania Gobena, Danford Mpumilwa, Ahmed Sow, Bocar Sy

**E-Mail:** [ict-rpress@un.org](mailto:ict-rpress@un.org)



## Prosecutor and Registrar Call on UN Secretary-General



(left to right) Mr. Charles Adeogun-Phillips, Justice Mr. Hassan Bubacar Jallow, HE Mr. Kofi Annan and Mr. Adama Dieng

The Prosecutor of the ICTR, Mr. Justice Hassan Bubacar Jallow and the ICTR Registrar, Mr. Adama Dieng, on Thursday 14 December 2006 paid a courtesy call on the outgoing UN Secretary-General, H.E. Mr. Kofi Annan at his office at UN Headquarters in New York.

During the visit, Justice Jallow, who was also accompanied by Mr. Charles Adeogun-Phillips, Senior Trial Attorney, congratulated H.E. Mr. Annan on his successful 10 year tenure as the UN Secretary-General.

Describing the Secretary-General as a “pillar of encouragement, understanding and support to the cause of International criminal justice”, Justice Jallow paid tribute to the Secretary-General’s commitment to the fight against impunity. Justice Jallow also briefed the Secretary-General on the progress of the ICTR completion strategy and confirmed that the Tribunal was on schedule to complete its work as anticipated.

The Registrar of the Tribunal, Mr. Adama Dieng, also briefed the Secretary-General on a vast range of administrative and budgetary matters falling within his purview as Registrar. He also conveyed, to H.E. Annan, the best wishes of all ICTR staff members.

The Secretary-General expressed his satisfaction at the achievements recorded by the ICTR to date. He also paid glowing tribute to the selfless service of the men and women who are involved in the work of the Tribunal and requested that his best wishes be conveyed to them.

Earlier, the Prosecutor and the Registrar attended a session of the General Assembly for the tributes to Secretary-General H.E. Mr. Kofi Annan and the administration of the oath of office to Secretary-General Designate H.E. Mr. Ban Ki-Moon by the President of the General Assembly, H.E. Sheikh Haya Rashed Al Khalifa.



Kofi Annan, Sheikh Haya Rashed Al Khalifa and Ban Ki-Moon

## Appeals Chamber Concludes Hearing in the Media Case

The Appeals Chamber of the United Nations International Criminal Tribunal for Rwanda on 18 January concluded hearings in the case of three media executives who were convicted for genocide in 2003.



Nahimana, Barayagwiza & Ngeze

Ferdinand Nahimana, founder of the Radio Télévision des Mille Collines (RTLM), Jean-Bosco Barayagwiza, high ranking board member of the *Comité d'initiative* of the RTLM and founding member of the Coalition for the Defence of Republic (CDR), and Hassan Ngeze, also a founding member of CDR and editor of Kangura newspaper, were convicted for genocide, incitement to commit genocide, conspiracy, and extermination and persecution as crimes against humanity. On 3 December 2003 Nahimana, and Ngeze were sentenced to life imprisonment and Barayagwiza was sentenced to 35 years imprisonment. All three appealed their conviction.

The Appeals Chamber, composed of Judges Fausto Pocar, presiding, Mohamed Shahabuddeen, Mehmet Güney, Andrés Vaz, and Theodor Meron held three days of hearings in Arusha to hear evidence from a witness and oral arguments from counsel for the convicts and from the Prosecutor.

All the Defence teams requested that the convictions be annulled. In the case of Nahimana the Defence argued that the Prosecutor’s contention of conspiracy is not founded, that the definition of incitement has been expanded beyond the existing international law applicable in 1994 and that the conviction entered by the trial chamber was based on a single element brought forward by a contested expert witness.

Ngeze’s defence challenged all five convictions against him arguing one of the main witnesses recanted his



statement, and that he was convicted of incitement to commit genocide based on material published outside the temporal jurisdiction of the Tribunal.

As for Barayagwiza the Defence called for the annulment of the judgment on the grounds that the tribunal lacked independence and impartiality, his trial was held in absentia which is prohibited by international law and that Barayagwiza was represented by incompetent and negligent counsel. Furthermore Counsel argued that the Prosecutor failed to fulfill the test for superior responsibility.

The Prosecution on its part addressed the comments brought forth by defence counsel. Firstly it addressed the issue of trial in absentia regarding Barayagwiza case, stating that the appellant could not have been forcibly brought to court as that would have violated his rights. The Prosecution also argued that incitement was synonymous with instigation, and that for the crime of incitement to commit genocide, there is no actual need for the crime to occur. Following this line it was argued that hate speech can per se constitute persecution because such speech denies a fundamental right- the right to equality.

## African Human Rights Court: A Reality

***"The absence of a court had long constituted a major handicap to the effectiveness of human rights protection in Africa"***

At the invitation of the African Court for Human and People's Right (ACHPR), the Registrar of the ICTR, Mr Adama Dieng undertook a mission to Accra, Ghana with Mr. Bocar Sy, Chief of Public Affairs & Information Unit at the Tribunal. Mr Dieng was invited as an expert of Human Rights and as one of the pioneers on the idea of settling an African Human Court of Justice.



Talking about the experience of the International Criminal Tribunal for Rwanda (ICTR), Mr Dieng called for an increase in the number of judges sitting in the African Court to better deal with future cases that the court will face. *"The figure of seven judges combined with the partial nature of their duties warrants the prediction that they will not be able to perform their functions effectively,"* he said at the opening of a two-day conference on the introduction of the ACHPR.

Mr Dieng who participated in various panels during this conference explained that the current number of judges, 7 instead of 11 as requested by the Statute of the African Court, risked weakening the many activities of ACHPR. He added that the ACHPR was established precisely for the purposes of strengthening human rights protection in Africa, and that the absence of a court had long constituted a major handicap to the effectiveness of human rights protection.

During the two-day conference Mr Dieng also called for the inclusion of a section to deal with corrupt African politicians in addition to the general affairs and, human and people's right sections. During that conference the Registrar met with representatives of media houses to sensitize them on the work of ICTR which is an example of achievements for journalists interested in area of Human rights

Television coverage of the conference and interviews of the Registrar were broadcast in various print and electronic media. In Accra, the ICTR also held an exhibition and screened the ICTR film documentaries.

## Nigerian Institute of Advanced Legal Studies Visits the Tribunal

A delegation from the Nigerian Institute of Advanced Legal Studies (NIALS) on 25 January 2007 concluded a three-day visit to the United Nations Criminal Tribunal for Rwanda (ICTR). During the visit, the Institute agreed to contribute to the setting up of a lasting legacy of ICTR ground breaking jurisprudential achievements in African academic institutions.



Left to right, Roland Amoussouga, Professor A. O. Adekunle, Professor D. A. Guobadia, Adama Dieng and P. T. Akper

The delegation composed of the Institute's Director General Professor D. A. Guobadia, the Director of Research, Professor A. O. Adekunle and the Head of the Department of International Law, Mr. P. T. Akper held talks with the President of the Tribunal, Judge Erik Møse, the Prosecutor Mr. Hassan Bubacar Jallow, the Registrar Mr. Adama Dieng and other senior officials of the Tribunal.

Major areas for possible cooperation with the Tribunal were identified such as regional sensitization on the

work and judicial achievements of the Tribunal and establishment of closer cooperation between both Institutions for research and capacity building in the development of international humanitarian law and the administration of the international criminal justice system.

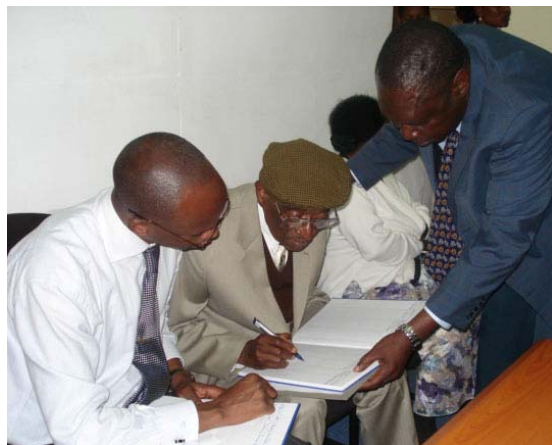
The Institute was established in 1979 as Nigeria's foremost institution for legal research and advanced studies in law. In pursuance of its statutory mandate, the Institute has undertaken research, published books, organized and hosted national and international seminars, symposia, conferences, workshops and lectures on different aspects of law and related disciplines.

Such a visit is the second of its kind after a similar visit to the ICTR undertaken in May 2005 by members of the Law Faculty of the National University of Rwanda.

## ICTR Judicial Activities

### • Elizaphan Ntakirutimana Released After Serving Sentence

Elizaphan Ntakirutimana, (81) former senior pastor of the Seventh-day Adventist church who on 19 February 2003 was sentenced to ten years' imprisonment after being convicted of aiding and abetting genocide in Rwanda, was released on 6 December 2006 from prison at the end of his sentence.



*Ntakirutimana signs his release papers*

Pastor Ntakirutimana was first arrested on 29 September 1996 in Texas, USA, and then released and re-arrested. He was transferred to the Detention Facility in Arusha on 24 March 2000 and made his initial appearance on 31 March 2000.

During his sentencing Trial Chamber I of the Tribunal ruled that credit was to be given for the time the accused had already served on remand in the United States and Arusha, Tanzania.

The accused becomes the first ICTR convict to be released after serving his sentence. Elizaphan was jointly charged with his son Gerard, who was sentenced to 25 years in prison. The two accused

jointly faced two indictments, the 'Mugonero' indictment with five counts and the 'Bisesero' indictment with seven counts. Both indictments charged the accused with genocide, or in the alternative complicity in genocide, conspiracy to commit genocide as well as crimes against humanity.

The Appeals Chamber found Elizaphan Ntakirutimana guilty of aiding and abetting in genocide and aiding and abetting extermination as a crime against humanity. It confirmed that Trial Chamber factual findings that he had transported attackers to places where they pursued and killed Tutsi refugees, and in the area of Bisesero he went to Murambi church and ordered the removal of the church roof so that it could no longer be used as shelter for the Tutsi, thus facilitating their being hunted down and killed.

### • Catholic Priest Athanase Seromba Sentenced to Fifteen Years



Trial Chamber III of the ICTR on 13 December 2006 found Athanase Seromba, former priest of Nyange Parish, Kivumu commune, guilty of genocide and extermination as a crime against humanity. The

Chamber dismissed the alternative count of complicity in genocide, and acquitted the accused of the count of conspiracy to commit genocide. Seromba was then sentenced to a single term of fifteen years imprisonment and the Chamber ruled that the accused would receive credit for time already served since his surrender to the Tribunal on 6 February 2002.

For the purpose of sentencing the accused, the Chamber composed of Judges Andrézia Vaz, presiding, Karin Hökberg and Gberdao Gustav Kam, considered as aggravating factors: his authority as a respected Catholic priest; the trust he had from several Tutsi refugees who had taken shelter in his parish to elude massacres; and his failure to live up to the trust of the refugees who thought their lives would be safe there.

As mitigating factors, the Chamber considered that Seromba had a good reputation prior to the events of 1994; he was relatively young at the time of the events; and his voluntary surrender to the Tribunal.

The Chamber ruled that in his capacity as a Catholic parish priest, based on the situation prevailing throughout Rwanda during 1994, Seromba must have been aware of the intent of the attackers of the refugees at the parish.

For the charge of extermination as a crime against humanity, the Chamber found that the Prosecution established beyond a reasonable doubt that a large number of Tutsi seeking refuge at the Parish were surrounded on or about 12 April 1994 by *Interahamwe*, militiamen and *gendarmes*. When the Tutsi refugees repelled the attack, the *Interahamwe*, and militiamen used grenades to attack the parish. It was further

established beyond reasonable doubt that Seromba spoke to the driver of the bulldozer, encouraging and identifying to the driver when to start the demolition of the parish and which parts of the parish were the weakest. The Chamber found that Seromba orally aided and abetted the assailants to demolish the Church.

Seromba's trial commenced on 20 September 2004 before Chamber III and the Prosecution closed its case on 25 January 2005 after calling 15 witnesses. The Defence closed its case on 27 April 2006 after the Chamber heard 24 defence witnesses. Seromba is represented by Patrice Monthé and Barnabe Nekuie, both from Cameroon.

At the time of the 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. He made his initial appearance before the Tribunal on 8 February 2002 and pleaded not guilty to all charges against him.

#### • **Nzabirinda's Guilty Plea Accepted**



Joseph Nzabirinda, nickname 'Biroto', former businessman and youth organiser in Sahera sector, Ngoma commune appeared on 14 December 2006 before Trial Chamber II composed of Judges Arlette

Ramaroson, presiding, William Sekule and Solomy Balungi Bossa and pleaded guilty to the new indictment charging him with one count of murder as a crime against humanity. The Chamber accepted his new plea and set 17 January 2007 for the sentencing hearing.

In the new indictment, amended on 9 December 2006, and in the plea agreement between the parties of the same date, Nzabirinda is charged with one count of murder as a crime against humanity.

During the hearing, the Prosecution stated that Nzabirinda was an approving spectator as a result of his presence during the attacks. The Defence agreed that the accused had no blood on his hands but was an accomplice by omission. The Prosecution withdrew its previous charges of the indictment of 2001 due to lack of evidence. The Chamber granted the request of the Defence that Nzabirinda be held in a secure location, away from other detainees to ensure his security until his sentence hearing.

Addressing the Chamber, the accused expressed deep remorse for his crimes and asked for pardon from the people of Rwanda for the crimes committed.

In the initial indictment of 6 December 2001, the accused was charged with genocide, conspiracy to commit genocide, extermination as a crime against humanity and rape as a crime against humanity. In his

initial appearance of 27 March 2002 the accused pleaded not guilty to all the charges.

Nzabirinda, born in 1957, in Sahera sector, was arrested in Brussels on 26 July 2001 and transferred to the United Nations Detention Facility on 21 March 2002. The accused is alleged to have participated in meetings with the Interahamwe during which the planned execution of Tutsis was discussed. It is further alleged that he encouraged attacks on the Tutsi gathered at Kabakobwe hill and at roadblocks throughout Sahera sector.

#### • **Trial of Colonel Renzaho Commences**



The trial of Colonel Tharcisse Renzaho, former prefect of Kigali-ville, began on 8 January 2007 before Trial Chamber I composed of Judges Erik Møse, presiding, Sergei Alekseevich Egorov and Florence Rita Arrey.

In its opening remarks, the Prosecution led by Senior Trial Attorney Jonathan Møses, told the Trial Chamber that it will present evidence to prove beyond reasonable doubt that the accused committed the crimes he is charged with at various places in Kigali prefecture. It added that it will call a range of witnesses to prove its case. These will include victims, co-perpetrators and from a variety of ethnic groups, and differing social and educational backgrounds.

Renzaho who was also the Chairman of the Civil Defence Committee for Kigali-ville is facing six counts charging him with genocide, complicity in genocide, and crimes against humanity for murder and rape, and serious violations of Article 3 common to the Geneva Conventions and Additional Protocol II. He pleaded not guilty to all charges during his further appearance of 3 June 2005.

The Prosecution stated that Renzaho was chosen as préfet of Kigali-ville not because of his administrative background but due to his military background. The accused, it alleged, assisted in the preparation of the genocide both as a public official and a private individual. Furthermore, Renzaho's authority did not diminish after 6 April 1994 for on 12 April Renzaho was left in charge of the capital, as the most senior government official. Evidence will be presented to prove his involvement at roadblocks throughout the city to which he supplied weapons and ammunition.

The Prosecution said the accused is alleged to have had under his direct control at least 200 policemen, administrative officials as well as the gendarmes and no effort was made by Renzaho to stop the deliberate targeting of Tutsis. He is specifically charged with the killings of Tutsi at CELA (Centre d'Etude des Langues Africaines), St. Paul Centre and Sainte Famille Parish. The Prosecution stated that there was also widespread rape of women who were considered as 'food for the soldiers.'

The Prosecution intends to call a range of witnesses in order to prove Renzaho's genocidal intent beyond



reasonable doubt.

Renzaho was born in 1944 in Kibungo prefecture. He was arrested on 29 September 2002 in the Democratic Republic of Congo and transferred to the UN Detention Facility on 30 September 2002. He is represented by François Cantier from France and Mr Barnabé Nekui (Cameroon).

- **Military I Trial Case Closed**

On 18 January 2006, the Defence presented their final witness in the case known as "Military I," involving four former high ranking military officials. The case was heard before Trial Chamber I of the ICTR.



*Bagosora, Ntabakuze, Kabiligi, Nsengiyumva*

The accused in this case are: Colonel Théoneste Bagosora, former Director of Cabinet in the Rwandan Ministry of Defence; General Gratien Kabiligi, former Chief of Military Operations in the Rwandan Armed Forces; Lieutenant Colonel Anatole Nsengiyumva, former Commander of Gisenyi; and Major Aloys Ntabakuze, former Commander of Kanombe Paramilitary Battalion in Kigali. They are jointly charged with genocide, crimes against humanity, and serious violations of the Geneva Conventions and the Second Additional Protocol.

The Prosecution closed its case on 14 October 2004, after presenting 82 witnesses. The Defence commenced its case on 11 April 2005 and finished on 18 January 2006, after offering testimony by 160 witnesses. The Military I case is one of the five multi-accused trials at the ICTR. The conclusion of this trial is an important step in the Tribunal's Completion Strategy.

- **Former Pastor Ntakirutimana Dies**

The Registrar of the ICTR, Mr. Adama Dieng announced the death of Elizaphan Ntakirutimana (83) on 22 January 2007 at the AICC Hospital in Arusha. Elizaphan Ntakirutimana was former Pastor of 7th Day Adventist in Kibuye. He was released on 6 December 2006 after completing his sentence, with credit given for time already served.



On 19 February 2003, Elizaphan Ntakirutimana was sentenced with his son Gerard by Trial Chamber I of the Tribunal to 10 years and 25 years respectively.

On 13 December 2004, the Appeals Chamber confirmed the sentences imposed by Trial Chamber I,

affirmed the conviction of Elizaphan Ntakirutimana for aiding and abetting genocide and entered a conviction for aiding and abetting extermination as a crime against humanity. However, the Appeals Chamber quashed Elizaphan's conviction for aiding and abetting genocide for his participation in events which occurred at Mugonero.

Pastor Ntakirutimana was first arrested on 29 September 1996 in Texas. He was then released and re-arrested and transferred to the Detention Facility in Arusha on 24 March 2000. He made his initial appearance on 31 March 2000. Gérard Ntakirutimana is currently serving his sentence.

- **Prosecutor to Appeal Against Seromba's Sentence**

The Prosecutor the United Nations International Criminal Tribunal for Rwanda has decided to appeal against the sentence of 15 years imprisonment imposed on Athanase Seromba, former priest of Nyange Parish, Kivumu commune. The Prosecutor is also appealing against certain other findings of the Trial Chamber.

A statement issued on 22 December 2006 said the Prosecutor, having reviewed the judgement and the findings of the Trial Chamber that the accused is guilty of the crime of crimes, namely genocide; and of extermination, as a crime against humanity, considers the sentence inadequate under the circumstances.

On 13 December 2006, Trial Chamber III of the ICTR found Seromba guilty of genocide and extermination as a crime against humanity. He was sentenced to a single term of 15 years imprisonment with credit of 4 years he spent at the United Nations Detention Facility (UNDF) in Arusha. The trial Chamber found that Seromba aided and abetted in the killing of at least 1,500 people who sought refuge in his church at the Nyange Parish.

## News from The Hague

- **Activity of the Appeals Chamber**

During December and January, the Appeals Chamber rendered decisions or orders concerning twenty pre-appeal matters, including several requests for admission of additional evidence on appeal. Additionally, on 16 January 2007, the Appeals Chamber delivered the *Ndindabahizi* appeal judgement.

During its sitting in Arusha, on 15 January 2007 and 16-18 January 2007, respectively, the Appeals Chamber heard the appeals in the *Muhimana* and *Nahimana et al.* cases.

The Appeals Chamber is presently deliberating on the *Nahimana et al.* and *Muhimana* appeal judgements and is preparing the *Simba* case for a hearing. It is



also engaged in pre-appeal work in the *Muvunyi* and *Seromba* cases. Further, the Appeals Chamber is deliberating on a new request for review filed in the *Niyitegeka* case.

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

Following the orders issued on 11 September 2006 and 14 December 2006 by Trial Chamber I, composed of Judges Erik Møse (Presiding), Jai Ram Reddy and Sergei Alekseevich Egorov, the Other Registry Services Sub-Unit (ORSS-U) within the ICTR, Appeals Chamber Support Unit (ACSU) in The Hague has organised and covered, in coordination with the relevant Sections/Units of the ICTR and the ICTY, the hearing of a total of four witnesses by video-link, in December 2006 and January 2007.

- **Co-operation with Universities and Outreach Activities**

In a bid to further the awareness of the Tribunal's work in the service of international criminal and humanitarian law as well as to improve its exchange activities, Koffi Kumelio A. Afande, OIC, ICTR/ACSU briefed on 25 January 2007, Prof. Dr. jur. Helmut Gropengiesser and a group of 15 Students of the "Fachhochschule des Bundes für öffentliche Verwaltung" in Bruehl/Germany on the progress in the Tribunal's work. Emphasis was put on legal provisions and administrative mechanisms aiming at expediting the adjudication of the cases in the context of the completion strategy.

## **Cooperation with the Great Lakes Region**



The ICTR, in cooperation with other UN bodies, has played an active role throughout all the phases of the Pact on Security, Stability and Development in the Great Lakes Region through the participation of its Legal and other Experts in all its conferences and workshops.

The first of these conferences was the participation of an ICTR delegation in the Workshop on the Integration of Human Rights under the framework of the International Conference on Peace, Security, Democracy and Development in the Great Lakes Region, which was held in Yaounde, Cameroon from 17 to 19 May 2004.

The ICTR also participated in the Conference for the Protection of Women in Armed Conflict, organized by

the Special Representative of the Secretary-General in the Great Lakes Region which was held in Nairobi, Kenya, from 7 to 8 June 2004.

This was followed by the signing of the Dar Es Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region in Dar Es Salaam on 20 November 2004.

In January 2006 an ICTR delegation participated in the Workshop for Local Experts for the Technical Revision of Protocol Projects held in Brazzaville, Congo from 6 to 13 January 2006.

On 14 and 15 December 2006, the ICTR participated in the Second Summit of the International Conference on the Great Lakes Region held in Nairobi, Kenya. This summit culminated in the adoption of the Pact on Security, Stability and Development in the Great Lakes Region by the Heads of State and Government of the Member States.

## **ICTR Training**

- **Substantive Skills Improvement Programme for Drivers and Security Officers of the ICTR**

A two-week course for drivers and security officers of the United Nations International Criminal Tribunal for Rwanda was successfully held from 16 to 31 January 2007 in Arusha.



The course was conducted by trainers from the National Institute of Transport. A total of 53 drivers and security officers mainly assigned to the care of staff and VIPs participated in this workshop. The project was a combined effort by the Human Resources and Personnel Section, Transport, Security, WVSS and the United Nations Detentions Facility.

Apart from improving their skills, the course was aimed at providing better career opportunities in peace keeping operations, either as logistics officers, MOVCON officers and assistants.

## **Visitors to the Tribunal**

- **December 2006**

2 Dec: ICRC: Annual moot court competition  
4 to 8 Dec: Training of 14 French Speaking Witness Protection officers from Rwanda  
5 Dec: International School of Moshi (23 persons)  
11 - 12 Dec: Officials from the US State Department,



Micheal Morin and Brenda Doherty  
12 - 15 Dec: Training workshop for Rwandan Registrars  
13 Dec: Six students from an American College

• **January 2007**

6 - 11 Jan: Mr. Agostinelli, Italian Professor of Physics  
10 Jan: Indonesian Ambassador, H.E. Mr. Trijono Marjono and Indonesian counsellor, Diar Nubintoro  
15 - 19 Jan: Ms. Ruth Jameison, Lecturer in International Justice, Queens University, Belfast, Ireland.  
17 Jan: Dennis Holland, Canadian Lawyer ( 2 persons)  
22 - 25 Jan: Senior Officials from the Nigerian Institute of Advanced Legal Studies\*  
25 Jan: Under Secretary General of Security and Safety services, UN Mr. Dasvid Venesse  
26 - 29 Jan: Three Swiss Paliamentarians

**Statement by Judge Erik Møse, President of the ICTR, to the United Nations Security Council, 15 December 2006**

Mr. President, Excellencies, Ladies and Gentlemen,

It is an honour to address the distinguished Members of the Security Council and to present the up-dated version of the ICTR Completion Strategy Report, which was submitted on 30 November 2006.

When the ICTR Prosecutor and I appeared before the Council in June 2006, fifty-five persons had their cases completed or on-going. This number has now increased to fifty-nine. Three further judgments were rendered in September 2006. Since the Report was submitted on 30 November 2006, another judgment has been rendered.

Thirty-two accused have now received judgments. Let me briefly mention the four Trial Chamber judgments just referred to:

- Jean Mpambara, a *bourgmestre*, was acquitted of all charges against him on 12 September 2006.
- On the same day, Tharcisse Muvunyi, commander of the *École sous-officiers*, was convicted of genocide, direct and public incitement to commit genocide and crimes against humanity. He was sentenced to twenty-five years of imprisonment.
- On 20 September 2006, André Rwamakuba, who was the Rwandan Minister of Primary and Secondary Education, was acquitted of all charges against him.
- On 13 December 2006, Athanase Seromba, a priest, was convicted to fifteen years imprisonment for genocide and extermination as a crime against humanity.

The judgments in the Mpambara and Rwamakuba trials bring the number of acquitted persons at the ICTR to five.

Let me turn to the nine trials that are now in progress, involving twenty-five accused. The five multi-accused trials continue to represent our main challenge because of their volume, complexity and hence the time needed to complete them. It is therefore important to note the progress made.

- I am very pleased to report that the *Military I* case was virtually concluded on 12 December 2006. In this trial, which involve four alleged senior military leaders in 1994, a total of 82 Prosecution and 157 Defence witnesses were heard in the course of 400 trial days. Three additional witnesses will be heard by video-link in January 2007. Following written and oral submission in the next months, judgment will be rendered in 2007.
- Another welcome development since the submission of the Completion Strategy Report is that in the *Butare* trial, the fourth of the six accused has now commenced his case. The hearing of the evidence is expected to conclude in 2007.
- In the *Government* trial, which involves four Government ministers, the second of the fourth accused is presenting his evidence. It is expected that the evidence will have been heard by the end of 2007.
- In the *Military II* trial, which involves four accused, the Prosecution closed its case on 7 December 2006, having presented 72 witnesses. The Defence case will commence in the first months of 2007 with conclusion in 2008.
- In the *Karempera et al.* case, involving three accused, the Prosecution is presenting its case. The Trial Chamber has taken steps to ensure that the Prosecution case should be completed before the middle of 2007 in order to conclude the trial in late 2008.

Turning now to the single accused cases, closing arguments were heard in the *Karera* trial in November this year. Judgment is expected in early 2007. In the *Zigiranyirazo* case, the Defence is currently presenting its evidence.

During the Security Council meeting in June 2006, I mentioned that three new trials were expected to commence in the second half of 2006. The Tribunal met this target. The *Bikindi* and the *Nchamihigo* cases began on 18 September and 25 September 2006, respectively. The third new single accused case, *Rukundo*, commenced on 15 November this year. All three trials are expected to conclude in 2007.

Let me now address the situation of the detainees who are awaiting trial. Our Completion Strategy Report mentioned that there are eleven accused in this group. I am pleased to inform the distinguished members of the Security Council that this number is now lower. The first of these cases, *Renzaho*, is scheduled to commence on 8 January 2007. Secondly, Joseph Nzabirinda, a businessman and youth organiser, yesterday pleaded guilty to a count of murder as a crime against humanity, thereby increasing the number of persons having pleaded guilty to seven. The sentencing hearing is scheduled for 17 January 2007.





This brings us to nine persons awaiting trial. Thirdly, the Prosecutor this week filed a new request to transfer the case of Bagaragaza to a national jurisdiction. In his intervention, the Prosecutor will provide further information.

I am therefore pleased to confirm that the ICTR is on schedule to complete cases involving between sixty-five and seventy accused by the end of 2008, as envisaged in our Completion Strategy.

In order to achieve this aim, continuity is of the essence. On 13 June 2006, the Security Council adopted Resolution 1684, which extended the term of office of all ICTR permanent judges until 31 December 2008. On 13 October 2006, Resolution 1717 extended the terms of office of all ICTR *ad litem* judges until the same date. I would like to express our appreciation to the Security Council for having granted our two requests. This provides the Tribunal with the continuity, stability and certainty necessary for the efficient and effective planning of trials.

Eighteen indictees are at large. The ICTR will not be able to prosecute all these accused by December 2008, should they be found. But some of them should be tried by the ICTR. It is essential that Member States cooperate in the arrest and transfer of these persons. In June 2006, the Prosecutor and I referred specifically to Felicien Kabuga, who is in East Africa. Since then, many efforts have been made to obtain his transfer to Arusha, but so far without success. The Prosecutor will provide further information about this. Let me simply reiterate, in view of the Completion Strategy, the importance of Kabuga being arrested and transferred to the ICTR as soon as possible in order to determine his guilt or innocence.

The Prosecutor will address you of his plans to transfer some ICTR indictees to national jurisdictions for trial. This is an important part of our Completion Strategy. Member States are encouraged to be receptive to discussions concerning transfer. The Prosecutor will also provide up-dated information about Rwandan initiatives to abolish the death penalty.

Mr. President, in connection with State co-operation, I have to come back to the situation of acquitted persons. This was raised before the Council in June as well as in the General Assembly in October but there is still no progress. As of today, only one of the five persons acquitted by the Tribunal has found a country of residence. The other four are under the protection of the Tribunal in Arusha. Let me reiterate that the situation is particularly serious for André Ntagerura and Emmanuel Bagambiki, who were acquitted by the Trial Chamber in February 2004, and whose acquittals were confirmed in February 2006. The Registry has without success made many attempts to find a country for them. On behalf of the Tribunal, I must again appeal to Member States to receive acquitted persons in their territories. There is a need to find solutions to these problems. Let me add that it may also be problematic to relocate persons who are released after having served their sentences following convictions.

Mr. President, I have now described the high level of productivity in the four courtrooms of the ICTR during the last six months, with the Tribunal conducting nine trials involving twenty-five accused and rendering four judgments. In parallel with these core activities, all three branches of the ICTR continue to improve their working methods. Some of these processes are described in our Report and its annexes.

I am pleased to confirm that Rwanda has continued to cooperate with the Tribunal by facilitating the flow of witnesses from Kigali and by providing documents to the Prosecution and the Defence.

On behalf of the Tribunal, let me conclude by thanking the distinguished members of the Security Council, the Secretariat and the Member States for their support to the successful completion of the work of the ICTR.

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**Statement by Justice Hassan B. Jallow,  
Prosecutor of the ICTR, to the UN Security  
Council, 15 December 2006**

Mr. President, Your Excellencies,

You now have before you the revised Completion Strategy document of the ICTR based on the developments as at 30 th November 2006 and submitted by Judge Erik Møse, President of the Tribunal in consultation with the Office of the Prosecutor (OTP) and the Registry.

The ICTR continues to register steady progress towards the completion of its mandate in accordance with the deadlines set by the Security Council Resolutions 1503 (2003) and 1534 (2004). We remain committed to the deadlines as well as confident of the ICTR's ability to comply with the Completion dates set by the Security Council.

Since our last report to Council, five cases have been completed i.e. MPAMBARA, RWAMAKUBWA, MUVUNYI, SEROMBA and NZABIRANDA. Of the five completed cases, three accused were convicted, with one pleading guilty and two were acquitted. As planned the Prosecution was able, in the past six months to commence the trial of three cases i.e. BIKINDI, RUKUNDO and NCHAMIHIGO. These cases are proceeding steadily and satisfactorily. The trials of twenty five accused persons are in progress before the trial chambers with 22 accused being tried jointly in five multiple accused cases. These big cases present a major challenge. They are however all expected to conclude at various times, during 2007 and 2008. None of them is projected to go beyond the end of 2008. The conclusion of any of these multi-accused cases will provide an opportunity for enhancing the capacity of the tribunal to proceed with the trial of additional single accused cases.

The commencement of the Rule11 bis transfer of indictees to national jurisdictions for trial received a temporary setback when both the Trial Chamber and the Appeals Chamber rejected the request of the



Prosecutor for the transfer of Michel Bagaragaza to Norway for trial. The decision was based on the chamber's view that Norway lacks jurisdiction to prosecute Bagaragaza for the offences with which he has been indicted. I have now however filed a second request for the transfer of his case to another European country which has agreed to take the case and which in our view can exercise jurisdiction over the offences in the indictment. A decision is pending on the application.

Another European country has agreed to take on cases on transfer from the ICTR. Accordingly I propose early in 2007 to request the transfer of three other indictees to that country.

The option of transferring cases to African countries – other than Rwanda – is not likely to be viable. All the African countries which I have approached in this respect – whilst in principle supporting the sharing of this workload – have pleaded capacity and resource constraints as well as overburdened national judicial systems as obstacles to their participation in this exercise. Rwanda thus remains the only African country willing although, not yet ready – in the sense of fulfilling the conditions for transfer – to receive the cases of indictees from ICTR for trial.

Unfortunately despite the increased activity of the OTP Tracking team we have not been able in the past six months to apprehend and transfer to the ICTR any of our 18 fugitive indictees who continue to evade the ICTR. The evasive strategies of the fugitives – including their constant mobility across a large belt of East, Central and Southern Africa, refuge in inaccessible areas of the DRC as well as changes in identity have posed severe challenges to the efforts of the tracking team. So also has the matter of state cooperation.

In the past six months I have continued consultations with officials of the Kenya government regarding the case of FELICIEN KABUGA who remains top of the list of fugitives. You will recall that the Security Council in its Resolutions 1503(2003) had requested Kenya to cooperate with the ICTR in the matter of his arrest and transfer to the Tribunal. Information available to the ICTR continues to confirm Kabuga's connection within the territory. In September 2006 I undertook a mission to Kenya to discuss this matter. I was assured by officials and ministers of the government's commitment to collaborate with us in searching for the fugitive in Kenya, having him arrested if found and also investigating his assets in Kenya. A number of measures were agreed upon as a result of our discussions and I was to be advised of the status of implementation of those measures by the government of Kenya by the 15 th of November 2006. I am awaiting the report of the Kenya government. The encouragement of Council to Kenya to intensify its collaboration with the ICTR continues to be necessary. I wish to seize the opportunity to record our appreciation to the group of Ambassadors in Kenya known as the Friends of the ICTR and comprising largely Ambassadors from the USA, the EU and Canada, for their active support in our discussions with

the government of Kenya and look forward to their continued involvement in this matter.

Looking ahead to next year our focus will continue to be the timely and efficient conclusion of the cases of the twenty five accused currently on trial, the preparation and commencement of new trials, the intensification of the tracking programme for the arrest and transfer of the fugitives for trial and the referral of cases of indictees to national jurisdictions for trial.

Of the 11 indictees currently in detention awaiting trial five have been earmarked for transfer. Guilty plea negotiations are also ongoing with some. The remaining cases from this category will be made trial ready by the OTP with up to three cases being ready to commence in the first half of 2007, should courtroom space be available. Of the 18 fugitives who remain at large a maximum of 6, including Felicien Kabuga, will be prepared for trial in Arusha in the event of arrest. The cases of these twelve accused (6 currently in custody and 6 currently at large) can, we believe, conveniently be concluded over the two year period of 2007 – 2008. The policy of single accused trials together with the space and resources progressively becoming available over the same period with the conclusion of the multi-accused trials would provide an additional advantage in dealing with the cases.

The Appeals Chamber of the ICTR, in its decision in the case of the Prosecutor versus Karemera et al delivered earlier this year, ruled that Trial Chambers should now take judicial notice of the occurrence of the genocide in Rwanda as a notorious historical fact requiring no proof. It has recently reaffirmed that decision. By eliminating the need for such proof, this decision has the potential to shorten the proceedings in the remaining cases.

Twelve fugitives have been earmarked for transfer to Rwanda, together with five of the detainees currently in custody. The indications are that the death penalty, a major obstacle to the transfer of any case to Rwanda, will be abolished not just in relation to the cases of the ICTR, but across the board. As soon as that is accomplished I shall be requesting the transfer of the cases of these 17 indictees (twelve at large and 5 in custody) to Rwanda for trial. I hope this can be done in the first half of 2007. This number of cases for referral to Rwanda may rise to include any of the six top level fugitives currently earmarked for trial in Arusha if they are not arrested by June 2007.

If for any reason the referral of cases to Rwanda becomes impossible then the cases so earmarked will fall back within the workload of the Tribunal, either to be prosecuted in Arusha or transferred to another jurisdiction. We hope that the former will not arise and referral to another jurisdiction in that event will still be feasible.

Your Excellencies are aware that capacity building is crucial to a successful strategy of partnership with national jurisdictions. Indeed the Security Council has in its resolutions and statements called for capacity building assistance to those countries willing to share



the burden of the struggle against impunity. As you will observe from the annex to the Completion Strategy document, the ICTR in its own limited ways has been assisting Rwanda in this respect through its outreach programme. The efforts of the governments of the United States of America and the European Union (E.U.) member states to improve the legal system of Rwanda are also to be commended.

Mr. President, I have indicated to the Security Council in my previous reports that my office has felt it necessary to carry out further enquiries after our evaluation of the material relating to alleged violations of humanitarian law by the RPF. I expect that in 2007, these enquiries should conclude and enable us to decide which way to proceed.

The tribunal has continued to receive substantial cooperation and support from Rwanda and other member states of the United Nations, in many matters. Increasingly, and happily too, many states are now willing to share the burden of prosecuting alleged genocidaires. The USA, Canada and several states in Europe have now established special offices to prosecute suspected genocidaires who may have taken up residence within these countries. The OTP-ICTR has been collaborating with such offices by providing them with material evidence and other support to ensure that impunity does not prevail in these instances. They are assured of our continued cooperation.

As we draw nearer the end of our mandate, the ICTR will also be paying particular attention to legacy issues, staff retention, and residual matters which will remain after closure. The Security Council will receive proposals in due course on some of these matters. Staff retention is however a matter of immediate concern. While we do not envisage any need for

additional resources, beyond current budgetary levels – and may indeed anticipate a decline in some areas eventually, it is probable that the Tribunal will lose some of its most experienced staff who may naturally be looking for greater security elsewhere. This will come at a critical period of our mandate. It is necessary and urgent that a system of incentives be put in place to enable the tribunal retain the staff that it requires from 2007 to completion. We look forward to the understanding and support of member states in respect of proposals for staff retention currently under consideration.

Mr. President, let me conclude by extending my appreciation to the Security Council, other organs and the Secretariat of the U.N. for the support they have provided to the Tribunal over the years. In this respect, I must single out H.E. Kofi Annan the Secretary General who has been a pillar of encouragement, understanding and support not just to the ICTR and the other tribunals but to the wider cause of international criminal justice. His commitment to this cause has been a source of great strength to the Tribunals. The Action Plan for combating genocide launched by him on the occasion of the 10<sup>th</sup> anniversary of the Rwanda genocide provides the international community today with an opportunity to carry the struggle against impunity further and in a holistic way, combining preventive and remedial strategies. We look forward to the continued support of the international community in the implementation of this Action Plan.

On behalf of my staff and on my own personal behalf, I wish to thank H.E. the Secretary General sincerely for his leadership and wish him well in his retirement. I also would wish to seize the opportunity to congratulate and welcome the incoming Secretary General, H.E. Mr. Ban Ki-Moon and to wish him all the best in the execution of his mandate.

### Judicial Decisions of the ICTR between 1 December 2006 and 31 January 2007

Date	Case	Record Number	Title	TC
01/12/2006	KAREMERA ET AL	ICTR-98-44-2608	DECISION ON MOTIONS FOR RECONSIDERATION	TC 3
05/12/2006	NAHIMANA ET AL	ICTR-99-52-1728	DECISION ON THE APPELLANT JEAN-BOSCO BARAYAGWIZA'S MOTION CONCERNING THE SCHEDULING ORDER FOR THE APPEALS HEARING	AC
06/12/2006	KAREMERA ET AL	ICTR-98-44-2615/2	DECISION RELATIVE A LA REQUETE DU PROCUREUR AUX FINS D'ADMISSION DE DEPOSITIONS ANTERIEURES FAITES SOUS SERMENT AU PROCES PAR LES ACCUSES EN VERTU DE L'ARTICLE 89 (C) DU REGLEMENT DE PROCEDURE ET DE PREUVE	TC 3
06/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1703	DECISION ON KABILIGI MOTION FOR INSPECTION OF DOCUMENTS UNDER RULE 66 (B)	TC 1
06/12/2006	KAREMERA ET AL	ICTR-98-44-2615/1	DECISION PROSECUTOR'S MOTION TO ADMIT PRIOR SWORN TRIAL TESTIMONY OF THE ACCUSED PERSONS	TC 3
07/12/2006	NCHAMIHIGO	ICTR-01-63-0169	DECISION ON THE DEFENCE MOTION FOR NON-CONFORMITY OF THE INDICTMENT WITH THE TC'S DECISION ON DEFECTS IN THE FORM OF THE INDICTMENT	TC 3





Date	Case	Record Number	Title	TC
07/12/2006	BIZIMUNGU ET AL	ICTR-99-50-1584/1	DECISION ON CASIMIR BIZIMUNGU'S EXTREMELY URGENT AND CONFIDENTIAL MOTION TO HAVE WITNESS WDK TESTIFY VIA VIDEO-LINK	TC 2
07/12/2006	BIZIMUNGU ET AL	ICTR-99-50-1585	DECISION ON CASIMIR BIZIMUNGU'S MOTION TO CANCEL PROTECTIVE MEASURES FOR DEFENCE WITNESS WFQ4	TC 2
08/12/2006	NAHIMANA ET AL	ICTR-99-52-1739	DECISION ON JEAN-BOSCO BARAYAGWIZA'S MOTION FOR CLARIFICATION AND GUIDANCE FOLLOWING THE DECISION OF THE AC DATED 16 JUNE 2006 IN PROSECUTOR V. KAREMERA ET AL CASE AND PROSECUTOR'S MOTION TO OBJECT TO THE LATE FILING OF JEAN	AC
08/12/2006	NTEZIRYAYO NSABIMANA	ICTR-97-29-0443	DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF Mr. RICHARD PERRAS, CO-COUNSEL FOR THE ACCUSED ALPHONSE NTEZIRYAYO PROOF OF SERVICE	TC 2
08/12/2006	NAHIMANA ET AL	ICTR-99-52-1737	DECISION ON APPELLANT JEAN-BOSCO BARAYAGWIZA'S MOTIONS FOR LEAVE TO PRESENT ADDITIONAL EVIDENCE PURSUANT TO RULE 115 OF THE RULES OF PROCEDURE AND EVIDENCE	AC
08/12/2006	NAHIMANA ET AL	ICTR-99-52-1738	DECISION SUR LES REQUETES DE FERDINAND NAHIMANA AUX FINS DE DIVULGATION D'ELEMENTS EN POSSESSION DU PROCUREUR ET NECESSAIRES A LA DEFENSE DE L'APPELANT ET AUX FINS D'ASSISTANCE DU GREFFE POUR ACCOMPLIR DES INVESTIGATIONS COMPLEMENTAIRES	AC
08/12/2006	RUTAGANDA	ICTR-96-3-1333	DECISION ON REQUESTS FOR RECONSIDERATION, REVIEW, ASSIGNMENT OF COUNSEL, DISCLOSURE AND CLARIFICATION	AC
11/12/2006	BIZIMUNGUE ET AL	ICTR-99-50-1586	DECISION ON CASIMIR BIZIMUNGU'S VERY URGENT MOTION FOR AN ORDER APPLYING RULE 70 TO SPECIFIC INFORMATION TO BE PROVIDED TO THE DEFENCE BY THE UNITED STATES GOVERNMENT	TC 2
11/12/2006	KAREMERA ET AL	ICTR-98-44-2631/2	DECISION RELATIVE A LA REQUETE DU PROCUREUR INTITULEE "PROSECUTION MOTION FOR ADMISSION OF EVIDENCE OF RAPE AND SEXUAL ASSAULT PURSUANT TO RULE 92 BIS OF THE RULES; AND ORDER FOR REDUCTION OF PROSECUTION WITNESS LIST"	TC 3
11/12/2006	KAREMERA ET AL	ICTR-98-44-2630	DECISION ON AC REMAND OF JUDICIAL NOTICE	TC 3
11/12/2006	KAREMERA ET AL	ICTR-98-44-2631/1	DECISION ON PROSECUTION MOTION FOR ADMISSION ON EVIDENCE OF RAPE AND SEXUAL ASSAULT PURSUANT TO RULE 92 BIS OF THE RULES, AND ORDER FOR REDUCTION OF PROSECUTION WITNESS LIST	TC 3
11/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1711	DECISION ON DEFENCE MOTION FOR ADMISSION OF STATEMENT OF WITNESS LG-1/U-03 UNDER RULE 92 bis	TC 1
11/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1712	DECISION ON BAGOSORA MOTION FOR SITE VISIT	TC 1
12/12/2006	BIZIMUNGU ET AL	ICTR-99-50-1590	DECISION ON CASIMIR BIZIMUNGU'S MOTION IN RESPECT OF A CONDITION IN THE SPECIAL SERVICES AGREEMENT FOR EXPERT WITNESSES	TC 2
12/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1714	DECISION ON REQUEST FOR CERTIFICATION OF APPEAL ON DISCLOSURE AND INVESTIGATIONS CONCERNING THE ASSASSINATION OF PRESIDENT HABYARIMANA	TC 1
12/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1715	DECISION ON KABILIGI REQUEST FOR CERTIFICATION CONCERNING INSPECTION OF DOCUMENTS PURSUANT TO RULE 66 (B)	TC 1
12/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1716	DECISION ON NTABAKUZE MOTION FOR RECONSIDERATION OF DENIAL OF ISSUANCE OF SUBPOENA TO A UNITED NATIONS OFFICIAL	TC 1



Date	Case	Record Number	Title	TC
12/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1717	DECISION ON BAGOSORA MOTION TO VARY ITS WITNESS LIST AND TENDER A WITNESS STATEMENT UNDER RULE 92bis	TC 1
13/12/2006	NAHIMANA ET AL	ICTR-99-52-1743	DECISION ON PROSECUTION'S MOTION FOR LEAVE TO CALL REBUTTAL MATERIAL	AC
13/12/2006	NAHIMANA ET AL	ICTR-99-52-1742	DECISION ON HASSAN NGEZE'S REQUEST FOR A STATUS CONFERENCE	AC
13/12/2006	SEROMBA	ICTR-01-66-0276	JUGEMENT	TC 3
13/12/2006	BAGARAGAZA	ICTR-05-86-0046	DESIGNATION OF TC UNDER RULE 11BIS	TC 3
14/12/2006	KAREMERA ET AL	ICTR-98-44-2638	DECISION ON DEFENCE MOTION FOR REQUEST FOR COOPERATION TO GOVERNMENT OF RWANDA: MRND VIDEOTAPE ARTICLE 28 OF THE STATUTE OF THE TRIBUNAL	TC 3
14/12/2006	RUKUNDO	ICTR-01-70-0233	DECISION DE RETRAIT DE LA COMMISSION D'OFFICE DE MAITRE OLIVIA BOUET A TITRE DE CO-CONSEIL DE M. EMMANUEL RUKUNDO	TC 1
14/12/2006	[MILITARY I] BAGOSORA ET AL	ICTR-98-41-1721	DECISION ON KABILIGI MOTION FOR TESTIMONY BY VIDEO-CONFERENCE AND MODALITIES FOR PRESENTATION OF WITNESSES	TC 1
15/12/2006	KAREMERA ET AL	ICTR-98-44-2639	DECISION ON DEFENCE MOTION TO PROHIBIT WITNESS PROOFING, RULE 73 OF THE RULES OF PROCEDURE AND EVIDENCE	TC 3
15/12/2006	KAREMERA ET AL	ICTR-98-44-2640	DECISION ON PROSECUTOR'S MOTION TO ADMIT WITNESS STATEMENT FROM JOSEPH SERUGENDO, RULE 89 C AND 92 BIS OF THE RULES OF PROCEDURE AND EVIDENCE	TC 3
18/12/2006	BIZIMUNGU ET AL	ICTR-99-50-1588	DECISION ON JUSTIN MUGENZI'S APPLICATION FOR CERTIFICATION FOR INTERLOCUTORY APPEAL OF THE DECISION ON THE PROSECUTION'S MOTION FOR JUDICIAL NOTICE	TC 2
29/12/2006	KAREMERA ET AL	ICTR-98-44-2655	DECISION ON MOTION FOR DISCLOSURE OF LETTER FROM PROSECUTION WITNESS BTH TO THE WITNESS AND VICTIM SUPPORT SECTION	TC 3
29/12/2006	KAREMERA ET AL	ICTR-98-44-2656	DECISION ON DEFENCE MOTION FOR INVESTIGATION OF PROSECUTION WITNESS AHMED MBONYUNKIZA FOR FALSE TESTIMONY	TC 3
29/12/2006	KAREMERA ET AL	ICTR-98-44-2654	DECISION ON ADMISSION OF DEFENCE EXHIBITS	TC 3
09/01/2007	SIMBA	ICTR-01-76-0522	DECISION ON ALOYS SIMBA'S REQUEST FOR SUSPENSION OF APPEAL PROCEEDINGS AND REVIEW	AC
09/01/2007	NCHAMIHIGO	ICTR-01-63-0184	DECISION ON THE PROSECUTION MOTION FOR LEAVE TO AMEND THE WITNESS LIST RULE 73 BIS OF THE RULES OF PROCEDURE AND EVIDENCE	TC 3
11/01/2007	MUHIMANA	ICTR-95-1B-0227	DECISION ON THE ADMISSIBILITY OF THE APPELLANT'S BRIEF IN REPLY	AC
12/01/2007	NAHIMANA ET AL	ICTR-99-52-1779	DECISION ON HASSAN NGEZE'S MOTION FOR LEAVE TO PRESENT REJOINDER EVIDENCE	AC
12/01/2007	NAHIMANA ET AL	ICTR-99-52-1776	DECISION ON APPELLANT JEAN-BOSCO BARAYAGWIZA'S AND FERDINAND NAHIMANA'S MOTIONS FOR LEAVE TO PRESENT ADDITIONAL EVIDENCE PURSUANT TO RULE 115	AC
12/01/2007	NAHIMANA ET AL	ICTR-99-52-1780	DECISION ON THE ADMISSIBILITY OF THE AMICUS CURIAE BRIEF FILED BY THE "OPEN SOCIETY JUSTICE INITIATIVE" AND ON ITS REQUEST TO BE HEARD AT THE APPEALS HEARING	AC
15/01/2007	NAHIMANA ET AL	ICTR-99-52-1775	DECISION ON THE APPELLANT JEAN-BOSCO BARAYAGWIZA'S MOTION FOR LEAVE TO CALL AN EXPERT WITNESS IN THE KINYARWANDA LANGUAGE AND IN POLITICAL SPEECH	AC
15/01/2007	NAHIMANA ET AL	ICTR-99-52-1777	DECISION ON THE APPELLANT HASSAN NGEZE'S MOTION REQUESTING A POSTPONEMENT OF THE APPEAL HEARING	AC
16/01/2007	NDINDABAHIZI	ICTR-01-71-0294	JUDGEMENT	AC



Date	Case	Record Number	Title	TC
16/01/2007	NZABIRINDA	ICTR-01-77-0128	DECISION ON THE DEFENCE'S EXTREMELY URGENT CONFIDENTIAL MOTION FOR PROTECTIVE MEASURES FOR WITNESS LBZ2	TC 2
22/01/2007	NCHAMIHIGO	ICTR-01-63-0197	DECISION ON THE PROSECUTION MOTION TO ADMIT HEARSAY EVIDENCE PURSUANT TO RULE 89 (C), OR IN ALTERNATIVE, IN ACCORDANCE WITH THE RULE 92 BIS (C) OF THE RULES OF PROCEDURE AND EVIDENCE	TC 3
25/01/2007	NCHAMIHIGO	ICTR-01-63-0206	DECISION ON THE PROSECUTION MOTION TO HEAR THE TESTIMONY OF WITNESS LM BY VIDEO-LINK	TC 3
29/01/2007	NDINDILIYIMANA ET AL	ICTR-00-56-0718	DECISION ON WITHDRAWAL OF THE ASSIGNMENT OF MR. HAMULI RETY, CO-COUNSEL FOR THE ACCUSED FRANCOIS-XAVIER NZUWONEMEYE	TC 2

