



ICTR Newsletter

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United Nations International Criminal Tribunal for Rwanda

May/June 2011

Judge Khan Elected President of the Tribunal



Judge Khalida Rachid Khan (Pakistan) was elected President of the United Nations International Criminal Tribunal for Rwanda effective from 27 May 2011 for a period of two years. Judge Khan, who is presiding Judge of Trial Chamber III, has been Vice-President of the Tribunal since 29 May 2007.

She replaces Judge Dennis Byron (St. Kitts and Nevis), former

President of the Tribunal since 29 May 2007, whose tour of duty expires on 26 May 2011. Judge Byron has been elected Vice-President.

Judge Khan has been a judge at the Tribunal since August 2003. Prior to joining the Tribunal, she served as a Senior Puisine Judge on the High Court of Peshawar where she was the first Pakistan woman ever appointed to that position. She began her career as a civil judge in 1974 and later became Solicitor to the Government of the North-West

Frontier Province of Pakistan. She was also the first woman to be appointed as Sessions Judge in the Indian subcontinent.

Judge Byron arrived at the Tribunal in June 2004 and is a member of Trial Chamber III. Prior to joining the Tribunal, he served as Judge and later Chief Justice of the Eastern Caribbean Supreme Court. He began his career in private practice as a Barrister in 1966. In 2000, Judge Byron was conferred the honour of Knight Bachelor by Her Majesty Queen Elizabeth II. In 2004, he was appointed a member of the Privy Council (UK).



Judge Khan (centre), outgoing President, Judge Byron on her left with some of the Judges of the ICTR, flanked by the Prosecutor, Justice Hassan Bubacar Jallow (extreme left) and Deputy Registrar, Pascal Besnier (extreme right)

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Butare Judgement Delivered

All Six Accused Convicted: Nyiramasuhuko, Ntahobali and Ndayambaje Sentenced to Life in Prison

The United Nations International Criminal Tribunal for Rwanda on 24 June 2011 convicted all the six accused persons in what is called the Butare case including the first woman to be charged of genocide, Pauline Nyiramasuhuko, the former Minister of Family and Women's Development.

Trial Chamber II composed of Judges William Sekule, presiding,

Arlette Ramarason and Solomy Balungi Bossa then sentenced Nyiramasuhuko to life in prison for conspiracy to commit genocide, genocide, crimes against humanity (extermination, rape, and persecution), and serious violations of Article 3 common to the Geneva Conventions and of Additional Protocol II thereto (violence to life, and outrages upon personal dignity).

The Trial Chamber also sentenced her son, Arsène Shalom Ntahobali, a former student, and Elie Ndayambaje, a former Bourgmestre of Muganza to life in prison. Arsène



Nyiramasuhuko

Ntahobali

Ndayambaje



Nsabimana

Nteziryayo

Kanyabashi

Ndayambaje was arrested in Belgium on 28 June 1995.

Nsabimana was born on 29 July 1951, in Mbazi commune, Butare prefecture, Rwanda. He served as Prefect of Butare from 19 April until 17 June 1994. Nsabimana was arrested in Kenya on 18 July 1997.

Nteziryayo was born on 26 August 1947 in Kibayi commune, Butare prefecture, Rwanda. Nteziryayo, was appointed Prefect of Butare on 17 June 1994. He was arrested in Burkina Faso on 24 April 1998.

Kanyabashi was born in 1937 in Huye commune, Butare prefecture, Rwanda. From April 1974 through July 1994, he served as Bourgmestre of Ngoma commune in Butare prefecture. He was arrested in Belgium on 28 June 1995.

Shalom Ntahobali was found guilty of genocide, crimes against humanity (extermination, rape, and persecution), and serious violations of Article 3 common to the Geneva Conventions and of Additional Protocol II thereto (violence to life, and outrages upon personal dignity), while Ndayambaje was found guilty of genocide, direct and public incitement to commit genocide, crimes against humanity (extermination and persecution), and violence to life as a serious violation of Article 3 common to the Geneva Conventions and of Additional Protocol II thereto.

Sylvan Nsabimana, former Prefect of Butare was sentenced to 25 years in prison, for genocide, extermination and persecution as a crime against humanity, and violence to life as a war crime, while Alphonse Nteziryayo, a former Lieutenant Colonel in the Rwanda Armed Forces and also Prefect of Butare was sentenced to 30 years for direct and public incitement to commit genocide, following his speeches at two *commune* meetings in June and at Ndayambaje's swearing-in ceremony on 22 June 1994. Joseph Kanyabashi, former Bourgmestre of Ngoma Commune in Butare was sentenced to 35 years after being convicted, with Judge Ramarason dissenting in part, on the basis of superior responsibility, of genocide, crimes against humanity (extermination and persecution), and violence to life as a serious violation of Article 3 common to the Geneva Conventions and of Additional Protocol II thereto.

The Trial Chamber then ordered that the convicts would receive credit for time served since their arrest, where applicable, and that they would be kept in detention under the present conditions until their transfer to their designated places of imprisonment.

Nyiramasuhuko was born in 1946 in Ndora commune, Butare prefecture, Rwanda. She was arrested in Kenya on 18 July 1997 while Ntahobali was born in 1970 in Israel, and was arrested in Kenya on 24 July 1997.

Ndayambaje was born on 8 March 1958 in Muganza commune, Butare prefecture, Rwanda. He was appointed Bourgmestre of his commune in January 1983, and he held this office for a number of years until October 1992. On 18 June 1994, he was reappointed Bourgmestre of Muganza commune.

Case of Jean Uwinkindi Referred for Trial to the Republic of Rwanda



The United Nations International Criminal Tribunal for Rwanda on 28 June 2011 referred the case of Jean Uwinkindi to the Republic of Rwanda to be tried in the Rwandan national court system under Rule 11 bis, marking the first time in the Tribunal's history it has done so.

A specially designated Referral Chamber composed of Judges Florence Rita Arrey, Presiding, Emile Francis Short and Robert Fremr decided upon assessment of the submissions of the Defence and amici curiae (including the Government of Rwanda, Human Rights Watch, the International Association of Democratic Lawyers, the International Criminal Defence Attorneys Association, and the Kigali Bar Association) that it was satisfied that the Government of Rwanda was prepared to receive its first referral from the ICTR.

While previous Referral Chambers were not inclined to grant similar applications that had been placed before them, this Chamber was convinced based on the evidence that Rwanda possesses the ability to accept and prosecute Uwinkindi's case. Chamber expressed its solemn hope that the Republic of Rwanda would actualize in practice the commitments it made in its filings about its good faith, capacity and willingness to enforce the highest standards of international justice.

In reaching its decision, the Chamber noted that Rwanda had made material changes in its laws and had indicated its capacity and willingness to prosecute cases referred by the ICTR adhering to internationally recognised fair trial standards enshrined in the ICTR Statute and other human rights instruments. particular, the Chamber found that the issues which concerned previous Referral Chambers, namely the availability of witnesses and their protection, had been addressed to some degree in the intervening period.

The Referral Chamber also requested that the



Registrar appoint the African Commission on Human and Peoples' Rights to monitor Uwinkindi's trial in Rwanda and determined that the ACHPR would bring to the attention of the ICTR President any potential issues that may arise throughout the course of the proceedings. Chamber emphasised its authority under Rule 11 bis to revoke the case from Rwanda as a last resort if necessary.

Uwinkindi was born in 1951 in Rutsiro commune, Kibuye prefecture, Rwanda. was a former Pastor of the Pentecostal Church of Kayenzi, located at Nyamata sector, Kanzenze commune, Kigali-Rural prefecture. is accused of being responsible for attacks against Tutsi at Kayenzi Church, at Biyimana and Rwankeri cellules, and in Cyugaro's swamps.

His indictment included counts of genocide, conspiracy to commit genocide, and extermination as a crime against humanity. was arrested in Uganda on 30 June 2010 and transferred to the United Nations Detention Facility in Arusha, Tanzania on 2 July 2010.

Military II Judgement Delivered

- Bizimungu sentenced to 30 years in prison
- Nzuwonemeye and Sagahutu each sentenced to 20 years imprisonment
- Ndindiliyimana sentenced to time served since 2000 and released



Ndindiliyimana, Bizimungu, Nzuwonemeye, Sagahutu

Trial Chamber II of the UN International Criminal Tribunal for Rwanda on 17 May 2011 convicted Augustin Bizimungu, François-Xavier Nzuwonemeye, Innocent Sagahutu and Augustin Ndindiliyimana in the 'Military II' trial. It subsequently sentenced Bizimungu to 30 years in prison and Nzuwonemeye and Sagahutu each to 20 years imprisonment while Ndindiliyimana was sentenced to time served since he was arrested in Belgium on 29 January 2000. Following this the Chamber ordered Ndindiliyimana's immediate release and requested the Registry to make the necessary arrangements.

In reaching its judgement, the Trial Chamber, composed of Judges Asoka de Silva, Presiding, Taghrid Hikmet and Seon ki Park, stated that it had limited its analysis to considering whether the Prosecution had proved beyond reasonable doubt whether any of the accused were criminally responsible for the crimes that are alleged in the Indictment.

All the accused were acquitted on the count of conspiracy to commit genocide. The Trial Chamber ruled that it was not satisfied that the Prosecution had proved beyond reasonable doubt that the four accused in the case were implicated in such a conspiracy.

Ndindiliyimana was Chief of Staff of the *Gendarmerie Nationale* while Bizimungu was Chief of Staff of Rwanda Armed Forces, Nzuwonemeye was Commander of the Reconnaissance Battalion (RECCE) within the Rwandan Army and Sagahutu was the second-in-command of the RECCE and the "A" company commander of the Battalion.

The Trial Chamber convicted Ndindiliyimana on four counts of genocide, crimes against humanity (*murder and extermination*) and violations of Article 3 common to the Geneva Conventions and Additional Protocol II (*murder*). It acquitted him on the count of conspiracy to commit genocide and dismissed the count of complicity in genocide.

However it noted that the mitigating factors, which warranted mention, and the lesser sentence handed down to him, included his limited command over the *Gendarmerie* after 6 April 1994, his consistent support for the Arusha (peace) Accords and a peaceful solution of the conflict between the Rwandan Government forces and Rwanda Patriotic Front (RPF), and his opposition to the massacres in Rwanda.

The Trial Chamber found Bizimungu guilty on six counts of genocide, crimes against humanity for murder, extermination and rape and violations of Article 3 common to the Geneva Conventions and Additional protocol II (*murder; rape, humiliating treatment*). He was however acquitted on the count of conspiracy to commit genocide while the count of complicity to commit genocide was dismissed.

Nzuwonemeye was found guilty on two counts of crimes against humanity (*murder*) and violations of Article 3 common to the Geneva Conventions and Additional protocol II (*murder*). He was however acquitted on three counts of conspiracy to commit genocide, crimes against humanity (*rape*) and violations of Article 3 common to the Geneva Conventions and Additional protocol II (*rape, humiliating and degrading treatment*).

Sagahutu was found guilty on two counts of crimes against humanity (*murder*) and violations of Article 3 common to the Geneva Conventions and Additional Protocol II (*murder*), and acquitted on three counts of conspiracy to commit genocide, crimes against humanity (*rape*) and violations of Article 3 common to the Geneva Conventions and Additional protocol II (*rape, humiliating and degrading treatment*).

Further Nzuwonemeye and Sagahutu were also found to have ordered the killing of Prime Minister Agathe Uwungiliyimana and also were criminally responsible as superiors for the killing of the Belgian UNAMIR soldiers.

Bizimungu was arrested on 2 August 2002 in Angola and on 14 August 2002 he was transferred to the UN Detention Facility (UNDF) in Arusha, while Ndindiliyimana was arrested on 29 January 2000 in Belgium and transferred to the UNDF on 22 April 2000. Nzuwonemeye was arrested in the town of Montauban in the south of France on 15 February 2000 and was transferred to the UNDF on 23 May 2000 while



Sagahutu was arrested in Denmark on 15 February 2000. He was transferred to the UNDF on 24 November 2000.

The trial opened on 20 September 2004 and closed on 26 June 2009 after 395 trial days. The Prosecution presented a total of 72 witnesses, while the defence produced a total of 134 witnesses.

Bizimungu is represented by Gilles Saint Laurent and Ronnie MacDonald (Canada); Ndindiliyimana is represented by Christopher Black (Canada) and Vincent Lurquin (Belgium); Nzuwonemeye is represented by Acheleke Charles Taku (Cameroon) and Beth Lyons (USA); and Sagahutu is represented by Fabien Segatwa (Burundi) and Seydou Doumbia (Mali).

ICTR Judicial Activities

Work of the Trial Chambers and the Appeals Chamber in May/June 2011

N.B. this update covers the period through 28 June 2011

Trial Chamber I

The work of this Trial Chamber has been completed.

Trial Chamber II

Judgements

Nyiramasuhuko et al. ("Butare")

On 24 June 2011, Trial Chamber II rendered judgement in the *Butare* case. The case concerned six Accused: Pauline Nyiramasuhuko, the former Minister of Women's Development; her son, Arsène Shalom Ntahobali, who was a student in 1994; Sylvain Nsabimana, who served as *Préfet* of Butare from 19 April until 17 June 1994; Alphonse Nteziryayo, a lieutenant colonel in the armed forces who was appointed *Préfet* of Butare on 17 June 1994; Joseph Kanyabashi, the long-serving *Bourgmestre* of Ngoma *commune* from 1974 through July 1994; and Elie Ndayambaje, a former *Bourgmestre* of Muganza *commune* who was reappointed to his post as *Bourgmestre* on 18 June 1994. Nyiramasuhuko, Ntahobali, and Ndayambaje were sentenced to life imprisonment; Nsabimana was sentenced to 25 years' imprisonment; Kanyabashi was sentenced to 35 years' imprisonment; Nteziryayo was sentenced to 30 years' imprisonment.

Ndindiliyimana et al. ("Military II")

On 17 May 2011, Trial Chamber II rendered judgement in the *Military II* case. The Accused in this case are Augustin Ndindiliyimana, the former Chief of Staff of the Gendarmerie Nationale, Augustin Bizimungu, the former Chief of Staff of the Rwandan Army, Francois-Xavier Nzuwonemeye, Commander of the Reconnaissance (RECCE) Battalion of the Rwandan Army, and Innocent Sagahutu, the Commander of Squadron A of the RECCE Battalion. Ndindiliyimana

was sentenced to time already served and was ordered to be released immediately. Bizimungu was sentenced to 30 years' imprisonment, while Nzuwonemeye and Sagahutu were each sentenced to 20 years' imprisonment.

Trial in Judgement Drafting Phase

Bizimungu et al.

Deliberations and judgement drafting continued. The Chamber issued one order during the months of May and June 2011.

Ongoing Trial

Ngirabatware

The Chamber rendered three Decisions in May 2011, all of which addressed the issue of certification to appeal prior Decisions. The Defence case-in-chief resumed on 13 June 2011; the Chamber heard seven Defence witnesses during the month of June 2011.

Trial Chamber III

Ongoing trials

Karemera et al.

The Parties submitted their Closing Briefs on 2 June 2011; Closing Arguments are scheduled for August 2011. The Chamber issued two decisions in May and June 2011.

Nzabonimana

The Chamber heard three witnesses in May 2011, two defence witnesses and one Prosecution rebuttal witness. The evidence phase of the trial closed on 5 May 2011. The Chamber issued nine decisions during the month of May 2011. Closing briefs are scheduled to be filed by the parties in July 2011.

Ndahimana

The Chamber heard three witnesses and issued one decision in May 2011. The evidence phase closed on 12 May 2011. Closing briefs are scheduled to be filed by the parties in July 2011 and closing arguments are scheduled for September 2011.

Nizeyimana

The Defence case commenced on 9 May 2011 and closed on 17 June 2011. The Chamber heard 38 Defence witnesses and issued sixteen Decisions in May and June 2011.

Pre-Trial

Munyagishari:

Bernard Munyagishari was arrested in the DRC on 25 May 2011 and transferred to the seat of the Tribunal on 14 June 2011. Munyagishari made his initial appearance before the Tribunal on 20 June 2011, where he pleaded not guilty to the five counts against him. He is charged with conspiracy to commit genocide, genocide or alternatively complicity in genocide, and murder and rape as crimes against



humanity.

Uwinkindi Rule 11bis Transfer Application

The Trial Chamber decision on the Application for Transfer to Rwanda under Rule 11bis is expected on 29 June 2011.

Kayishema

The Chamber previously granted the request of the International Criminal Defence Attorneys Association for leave to appear as amicus curiae and invited the Republic of Rwanda to file submissions in relation to the Prosecution's request to transfer the case of Fulgence Kayishema to the jurisdictions of Rwanda.

Sikubwabo

The Chamber previously granted the request of the International Criminal Defence Attorneys Association for leave to appear as amicus curiae and invited the Republic of Rwanda to file submissions in relation to the Prosecution's request to transfer the case of Charles Sikubwabo to the jurisdictions of Rwanda.

Appeals Chamber

In June, the Appeals Chamber issued 1 decision concerning contempt (*Nshogoza*), as well as 7 pre-appeal decisions or orders.

Currently, the Appeals Chamber is seized of 14 matters, including 9 cases involving appeals from judgement.

Appeals from Judgement

The *Bagosora et al.* Trial Judgement was pronounced on 18 December 2008 and issued in writing on 9 February 2009. Theoneste Bagosora, Aloys Ntabakuze, and Anatole Nsengiyumva appealed. The briefing in respect of the appeals was completed at the end of July 2010. The appeals of Theoneste Bagosora and Anatole Nsengiyumva were heard from 30 March 2011 through 1 April 2011. Due to unavailability of Aloys Ntabakuze's counsel for the scheduled hearing of his appeal, the Appeals Chamber severed his case and decided to hear his appeal later (*Ntabakuze* case). Deliberations are now in progress in the *Bagosora & Nsengiyumva* case. The appeal in the *Ntabakuze* case is scheduled to be heard on 27 September 2011.

The Trial Judgement in the *Setako* case was rendered on 25 February 2010 and issued in writing on 1 March 2010. Both parties filed notices of appeal and the briefing was completed in November 2010. The appeals were heard on 29 March 2011. Deliberations are now in progress.

The Trial Judgement in the *Munyakazi* case was rendered on 30 June 2010 and issued in writing on 5 July 2010. Both parties filed notices of appeal in August 2010 and the briefing was completed in January 2011. The appeals were heard on 28 March 2011. Deliberations are now in progress.

The Trial Judgement in the *Ntawukulilyayo* case was rendered on 3 August 2010 and issued in writing on 6 August 2010. Dominique Ntawukulilyayo filed his

notice of appeal on 6 September 2010 and the briefing was completed in March 2011. The appeal is presently being prepared for a hearing.

The Trial Judgement in the *Kanyarukiga* case was rendered on 1 November 2010 and issued in writing on 9 November 2010. Both parties filed notices of appeal in December 2010 and the briefing was completed in June 2011. The appeal is presently being prepared for a hearing.

The Trial Judgement in the *Hategekimana* case was rendered on 6 December 2010 and issued in writing on 14 February 2011. Ildephonse Hategekimana filed his notice of appeal on 16 March 2011 and the briefing is in progress.

The Trial Judgement in the *Gatete* case was rendered on 29 March 2011 and issued in writing on 31 March 2011. Both parties filed notices of appeal in May 2011 and the briefing is in progress.

The Trial Judgement in the *Military II* case was rendered on 17 May 2011 and issued in writing on 20 June 2011. All of the parties requested extension of time to file their notices of appeal.

Other Appeals and Post-Appeal Requests

In addition to these appeals, the Appeals Chamber was seized of 1 interlocutory appeal in the *Uwinkindi* case and 3 requests for review in the *Kamuhanda*, *Ndindabahizi*, and *Kajelijeli* cases.

Summary

During 2011, the Appeals Chamber delivered 2 Appeal Judgements, 4 decisions on interlocutory appeals, 5 decisions on review or other post-appeal requests, and issued 77 pre-appeal orders or decisions. To date, the Appeals Chamber has delivered 29 Judgements, concluding the appellate proceedings in respect of 35 persons.

• Bernard Munyagishari Pleads Not Guilty



Bernard Munyagishari, former President of *Interahamwe* for Gisenyi, on 20 June 2011 made his initial appearance before Judge Dennis C. M. Byron and pleaded not guilty to five counts charging him with conspiracy to commit genocide, genocide, complicity in genocide and crimes against humanity for murder and rape.

The Prosecution alleges that Munyagishari recruited, trained and led *Interahamwe* militiamen in mass killings and rapes of Tutsi women in Gisenyi prefecture and beyond between April and July 1994.

The indictment states that, during the period, the accused, for example, accompanied by large numbers of *Interahamwe* drove around Gisenyi and pointed out to his group of militia the homes of Tutsis marked for



elimination and other places where Tutsis sought refuge, such as the Catholic Church, Saint Fidèle College, the Convent in Nyundo Parish and other public buildings. They later attacked these buildings and killed many Tutsis.

In some cases, Munyagishari and his *Interahamwe* abducted the Tutsis from their hiding places and took them to the "Commune Rouge" where they killed them, the indictment adds.

Further the accused is alleged to have created a special corps of young *Interahamwe* called the "Ntarumikwa", to rape and kill Tutsi women. He is said to have ordered and instigated these young *Interahamwe* to rape Tutsi women and girls before killing them.

Munyagishari was arrested in the Democratic Republic of Congo (DRC) on 25 May 2011. He was transferred to the United Nations Detention Facility in Arusha on 14 June 2011. He is represented by Duty Counsel Nelson Merinyo (Tanzania).

- **Special Deposition Proceedings Commence in the Kabuga Case**

The United Nations International Criminal Tribunal for Rwanda on Monday 23 May 2011 commenced conducting special deposition proceedings in the case of Félicien Kabuga, who is yet to be arrested, in order to preserve the prosecution's evidence against him. The proceedings are taking place before presiding Judge Vagn Joensen.

The proceedings follow a successful application by the Prosecution earlier this year for the taking of the deposition, seeking to safeguard evidence against Kabuga and two others, Augustin Bizimana, former Minister of Defence and Major Protais Mpiranya, who was Commander of the Presidential Guard, pursuant to Rule 71 *bis* of the Rules of Procedure and Evidence.

Rule 71 *bis* states, among others, that "if within a reasonable time, a warrant of arrest has not been executed, the Prosecutor may submit a request to the President that evidence relating to the indictment be preserved for a further trial by special deposition recorded in a proceeding conducted by a single Judge." The prosecutor fears that evidence against them may be lost or deteriorate due to the passage of time, death and incapacity of unavailability of witnesses later on.

Kabuga, 76, is one of the ten fugitives being sought by the Tribunal following confirmation of their indictments. During the events for which he was indicted, Kabuga was a businessman. He was also President of the *Comité Provisoire* of the *Fonds de Défense Nationale* (FDN) and President of the *Comité d'initiative of Radio Télévision Libre des Mille Collines* (RTLM). Further he was related by marriage to the family of President Juvénal Habyarimana.

His indictment alleges that Kabuga, was also the main financier and backer of the main political parties – *Mouvement Républicain National pour le*

Développement et la Démocratie (MRND) and the *Mouvement Démocratique Républicain* (MDR) – and their militias.

He is charged with 11 counts of conspiracy to commit genocide, genocide, complicity in genocide, direct and public incitement to commit genocide, crimes against humanity (murder, extermination, rape, persecution, inhumane acts) and serious violations of Article 3 common to the Geneva Conventions and Additional Protocol II.

Duty Counsel Bahame Nyanduga (Tanzania) who was appointed by the Registrar is representing the accused. An application by Emmanuel Altit, a French lawyer on 2 May 2011, indicating that the family of the accused fugitive had mandated him to represent them and the accused and requesting therefore to be formally appointed, was on 18 May 2011 dismissed in its entirety and declared moot after the Counsel sent another message on 17 May 2011 stating that he was withdrawing his request.

Activities of the ICTR Principals

- **The Prosecutor of the ICTR met with the Executive Secretary of the International Conference on the Great Lakes Region at ICTR**



H.E. Mulamula

H.E Ambassador Liberata Mulamula, Executive Secretary of the International Conference on the Great Lakes Region (ICGLR), paid a one-day official visit to the United Nations International Criminal Tribunal for Rwanda, Arusha, Tanzania, during which she held official talks with, among others, the Prosecutor of ICTR, Justice Hassan Bubacar Jallow.

The ICGLR is an Intergovernmental Organization of eleven states - Angola, Burundi, the Central African Republic, the Democratic Republic of Congo, Kenya, the Republic of Congo, Rwanda, Sudan, Tanzania, Uganda and Zambia – united by the "Pact on Security, Stability and Development in the Great Lakes Region" (the Pact) that entered into force in June 2008. As an essential set of principles around which the Pact was fashioned, the "Dar-Es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region" stipulates in its Art. 20 that one of the main commitments of the countries of the Great lake region is to:

"Fight genocide in the Great Lakes region and hereby undertake to neutralize, disarm, arrest and transfer to relevant international tribunals the perpetrators of genocide, including the forces that committed genocide in Rwanda in 1994, and any such other forces that may occur in future in accordance with the 1948 Genocide Convention and relevant United Nations Security Council resolutions";

During the meeting, the Prosecutor thanked the



International Conference on the Great Lakes Region for its unwavering commitment to fight genocide and ensure Peace, Security and International Justice in the Region of the Great Lakes. He briefed the Executive Secretary on the current developments at the ICTR and, in particular, on the Tribunal's Completion Strategy and the establishment of the International Residual Mechanism for Criminal Tribunals.

H.E. Mulamula commended the work of the Tribunal in promoting international criminal justice and fighting the culture of impunity as well as bringing to justice those who played a leading role in the commission of the crimes of genocide in Rwanda. She briefed the Prosecutor on the recent ICGLR Regional-Interministerial Committee Meeting held on May 6th 2011 in Brazzaville, Republic of Congo. In this context, she reiterated that "... tracking and arresting fugitives that contributed to instability in the Great Lakes Region is a welcome initiative that is legally and politically supported. The Members States committed to cooperate and collaborate in tracking down the genocide elements that took refuge in the region".

- **ICTR Registrar Visits Appeals Chamber Support Section in The Hague and the ICTY**

On 15 and 16 June 2011, the Registrar visited the ICTR Appeals Chamber Support Section in The Hague and the ICTY. During his visit, the Registrar met with Appeal Judges Mehmet Güney, Fausto Pocar, Liu Daqun, Andréia Vaz, Theodor Meron, and Carmel Agius as well as ICTY Registrar John Hocking and ICTY Prosecutor Serge Brammertz. The Registrar also held a meeting with ACSS staff during which he met old and new colleagues and addressed issues relating to the workload of the Appeals Chamber, the Tribunal's Completion Strategy, and the Residual Mechanism, among others. He also shared with staff the Appeal Judges' appreciation for their work. ACSS staff welcomed the Registrar at a reception and East African dinner on 15 June. The Registrar was accompanied on the mission by Chiara Biagioni, Legal Officer.

- **Registrar Attends World Justice Forum III, Barcelona**

From 20-23 June 2011, the Registrar, Mr. Adama Dieng, attended the World Justice Forum III in Barcelona, Spain. Mr. Dieng delivered a Keynote Address with a focus on the rule of law: its global and multifaceted dimensions.



With the Chief Justice of Canada, R. H. Beverley McLachlin

Over 450 diverse leaders from former heads of state, the prime minister of Zimbabwe, current and former Supreme Court justices, judges, lawyers, medical doctors, engineers, business owners, school teachers and artists, among others

gathered to develop projects to advance the rule of law across disciplines, and around the world. In his address, the Registrar recalled that the United Nations has pledged its assistance for strengthening the Rule of Law, which is at the very foundation of the UN Charter. He illustrated that commitment with the message sent recently by Secretary-General Ban Ki-moon to all UN departments, offices, funds and programmes, encouraging them to adopt strategies and operating procedures that streamline and facilitate the development of the Rule of Law.

The Registrar informed the participants that among the concrete approaches the UN Secretary General envisioned, he has stressed with particular emphasis the need for a more prompt response to the requests of States, especially in developing countries, for capacity-building and technical assistance. Mr. Dieng made use of the Barcelona Tribune to call for funding support to enable the replenishing of the ICTR Trust Fund with an emphasis on the urgent need to get resources so as to continue providing medical support to witnesses/ victims living in Rwanda as many of them were victims of rape. Those victims played an important role in testifying before the ICTR. As he said they cannot be abandoned after they contributed to the healing truth.



With Ramon Mullerat

The Registrar met with William H. Gates Sr., Co-chair of the Bill & Melinda Gates Foundation. He also requested Ramon Mullerat, Former President of the Council of Bars and Law Societies of the European Union (CCBE) to provide pro-bono lawyers to assist ICTR in

handling some cases for prosecution of contempt. It is to be recalled that the Registrar had addressed a key note speech on multidisciplinary approaches to the rule of law in Africa at the first World Justice Forum in 2008 in Vienna.

In the margin of the Forum, the Registrar met with the Prime Minister of Zimbabwe, Mr Morgan Tsangirai. The discussion mainly focused on the cooperation between Zimbabwe and the ICTR in relation to the arrest and transfer of fugitives. The Registrar also accepted the invitation extended to the ICTR to provide support to Zimbabwean judiciary system through capacity building.

- **ICTR Registrar meets President of the African Assembly for the Defense of Human Rights**

On 5 May 2011, President of the African Assembly for the Defense of Human Rights (RADDHO), Mr. Alioune Tine accompanied by Mrs. Chantal Medzie Abessolo, Head of a Gabonese based Human Rights NGO, paid a courtesy call to the Registrar of the ICTR, Mr. Adama Dieng. Mr. Tine paid tribute to the eminent contribution of ICTR in the fight against impunity, hoping that the



The Registrar with Mrs. Chantal Medzie Abessolo & Mr. Alioune Tine

African tribunals take their inspiration from the jurisprudence in the implementation of the International Humanitarian Law. The Registrar congratulated the RADDHO for its commitment to promote and protect the human rights throughout Africa. About the situation in Gabon, the Registrar reminded the avant-garde role of Mrs. Francine Rose Rogombe in the fight for the respect of women's rights as human rights. The Registrar invited Mrs. Medzie and her Gabonese sisters to seek inspiration from the prominent legal expert jurist, who contributed in the progress of women cause in a very remarkable and discreet way.

- **Registrar attends International Workshop in Boston**

On 22-24 May, the Registrar, Mr. Adama Dieng was invited at an International Workshop on the development of anti-corruption syllabus and modules, organized by the Northeastern University in Boston in collaboration with the United Nations Office on Drugs and Crime (UNODC). The purpose of the workshop was to discuss and share ideas on the possible format, structure and content of an academic syllabus on anti-corruption based on the United Nations Convention against Corruption (UNCAC) and other relevant international legal instruments.

British Foreign Office Minister Visits Tribunal



(l-r) Judge Khan, Judge Byron, H. E. Henry Bellingham and H. E. Diane Corner

The British Foreign Office Minister H.E. Henry Bellingham on Tuesday 24 May 2011 paid a one-day official visit to the United Nations International Criminal

Tribunal for Rwanda, Arusha, Tanzania, during which he held official talks with senior officials of the ICTR. During his visit, the Minister, whose delegation included, H.E. Diane Corner, the British High Commissioner to Tanzania and Mr. Nicholas Hopton, the Head of the British Foreign Office's International Organisations Department met with the President of the ICTR, Judge Dennis Byron and Mr. Hassan Bubacar Jallow, the Prosecutor, as well as with Mr. Pascal Besnier, the Deputy Registrar.



H.E. Henry Bellingham with Justice Jallow

President Byron and Justice Jallow thanked the British Government for its unwavering support to the work of the ICTR. They also briefed the Minister on the current developments at the ICTR and in particular on the

Tribunal's Completion Strategy and the establishment of the International Residual Mechanism for Criminal Tribunals.

H.E. Bellingham hailed and commended the work of the Tribunal in promoting international criminal justice and fighting the culture of impunity as well as bringing to justice those who played a leading role in the commission of the crimes of genocide in Rwanda.

H.E. Bellingham also took time to visit the United Nations Detention Facility (UNDF), where he was received, taken around and briefed by Mr. Saidou Guindo, the Facility's Commander.

ICTR Welcomes New Chief of HRPS

Ms. Carmen De Los Rios, has with effect from 19 May 2011 assumed the position of Chief of HRPS at the Tribunal.



Ms. De Los Rios holds a Bachelors and a Masters Degree in Industrial Psychology from the Universidad Complutensc de Madrid, Spain and a Masters Degree in Human Resources from TRH-Tecnicos Recursos Humanos, Madrid, Spain. She also obtained a Certificate in UN Coherence, Change Management Workshop organized by the UNSSC in Turin, Italy, and a Certificate in Fundamentals of People Management organized by the MCE-Management Center Europe in Brussels, Belgium.

Prior to her appointment with ICTR, Ms. De Los Rios held several responsible positions in the private and public sector. She has 21 years of work experience, 4 of which have been spent with the European Space



Agency (ESA) in The Netherlands as Human Resources Advisor, and 5 with the United Nations Population Fund (UNFPA) in New York as Human Resources Specialist - Policy & Planning.

The Tribunal welcomes Ms. Carmen and assures her of our full support, assistance and cooperation as she carries out this challenging assignment.

ICTR Continues to Strengthen Rule of Law (ROL) in Africa



Some of the participants at the Workshop

Members of the Kigali Bar Association were beneficiaries of an ICTR facilitated workshop on International Criminal Law that took place in Kigali, Rwanda from 30 May – 3 June 2011. This training workshop is the fourth in a series conducted by the ICTR in continuation of its capacity building and outreach program aimed at strengthening rule of law in Africa, particularly in Rwanda.

ICTR's engagement with capacity building activities aimed at strengthening the judicial sector of any country is conceived as a knowledge-sharing process relating to both ICTR and the beneficiary country's legal systems. Within the framework of this programme, lessons learnt and experiences garnered by the ICTR are transferred to actors of various judiciaries.



Patrick Enow with some of the winners of the Moot Court Competitions

During the recently concluded five day training workshop, approximately sixty (60) Rwandan Lawyers attended each session. The theme of the training workshop centered on Universal Jurisdiction as it is practiced in different legal systems including Spain, Rwanda, France, Canada, Belgium and United States.

Experts on Universal Jurisdiction provided theoretical

insights on the subject supported by examples of cases and how these were processed through the various jurisdictions.

The highlight of the sessions were the moot court competitions wherein groups formed teams as Prosecutors, Defense Counsels and Amicus Curiae for the countries practicing universal jurisdiction to argue on the issues and principles raised during lectures and presentations.

In the view of participants, the skills imparted in these trainings are fundamental and essential, endowing lawyers with skills that could be used anywhere without limitations as the world has become a global village.

The training workshop concluded with the award of trophies to the winners of the moot competition.

Interns' Corner

• My Experience at the ICTR *(by Ali Draguendoul)*

Six months of internship with the ICTR have already flown by and this is life . We experience different situations at one time or another but what I will surely keep remember is what I learned, the duties I performed and the knowledge I gained during my stint at the Tribunal.



It has been a privilege working with the ICTR. I served as a member of a large team and feel that I too have expended energy, time and effort to contribute to the fight against impunity and acrimony to bring justice for the victims of one of the worst humanitarian tragedies of our times - the Rwandan Genocide of 1994.

I enjoyed my work as an intern in the Communication Cluster, ERSPS. This Unit has a variety of responsibilities, one of which is communication not only internally within the ICTR, but also externally with journalists, visitors and international organizations.

Among the major duties that the Communication Cluster is responsible of is to cover all the activities and work of the Tribunal. I had the opportunity to learn from my supervisor how to write press releases and media alerts on various events. This was my main objective. Eventually, thanks to my experience at the ICTR, I am now more confident when editing news, especially legal news. I also had hands on experience in the design, editing and creation of the ICTR newsletter. The newsletter represents one of the most important sources of information and includes an "Interns' Corner" that contains articles written by interns to enable them to share their experiences, opinions and ideas. It is a reliable and effective way to encourage interaction in the framework of recognition of our cultural diversity that characterizes the Tribunal.

I am grateful to my supervisor and colleagues in the Section who supported and assisted me in every way



during my sojourn here. The office I work in has an ideal working environment that is conducive to motivation and timely output of work.

The cultural diversity at the ICTR enabled me to meet and interact with a lot of people from different countries and continents. I established a rapport and good working relationship with everyone. This is an important quality for a person working in the Communication Cluster. It convinced me that all staff members at the Tribunal, irrespective of their position, nationality or cultural background, including myself, are here with the same objective - that is accomplishing a very important humanitarian mission and ensuring that justice is done.

My other responsibilities entailed updating case profiles, preparing statistics about the judgments and sentences, attending different workshops, meetings, and press conference organized by the ICTR.

In conclusion I would like to say that my experience at the ICTR was very fruitful and adventurous and it has made me realize that people who committed crimes against humanity regardless of the place and the time around the world will never escape justice.

"Justice Today Peace Tomorrow" is the main lesson that I want to transmit to the future generations to basically avoid another human tragedy in the world. This should be a wakeup call for the international community to quickly intervene and take necessary action against those responsible, in order to achieve justice and peace in the world in a timely manner.

Other News

- **Arusha Spouses' Association Hold Annual Fund Raiser**



Members of the ASA

Arusha Spouses' Association (ASA) has been conducting fund-raising dinner/dance evenings annually to raise money to support the needy and less privileged. They held their 7th Annual Dinner/Dance on the cool evening of 17 June 2011 at the Bella Luna Restaurant.

As usual, it was a fun-filled evening that left the large turnout of guests clamouring for more! The surprise package of the evening were performances by various groups in the spirit of "Ibihe byiza byahise—The Good Old Days—Fateleku—Les bon vieux temps".

In addition to the fun, ASA also took the opportunity to raise money for charity by means of auctions of precious and semi-precious stones kindly conated by



Cultural Heritage and Isle of Gems, air tickets and also raffle ticket sales.

Three distinguished female personalities, namely Mrs. Fatou Bomm Bensouda (Deputy Prosecutor ICC), Mme Aissatou Dieng (ICTR Registrar's wife) and Mrs. Zouleka Gondji (Guest of Honour), made substantial financial contributions towards the fundraising effort. Thank you! The ASA is grateful to all who have helped in their own way towards this noble cause, with special appreciation to the President, the Prosecutor, the Registrar and all the Judges of the ICTR for their timely and generous donations.



Mrs. Dieng (above)
Mrs. Bensouda (middle)
Ms. Gondji (below)

Once again, we wish to extend special appreciation to Mrs Zouleka Gondji for believing so much in ASA and we thank her for her continued support and encouragement.



Mme Jallow, pillar of ASA

Mme Jallow was honoured by ASA members for her continued support and encouragement and they presented her with a collage of photos of ASA members.

Mrs Aissatou Dieng courteously agreed to launch the ASA Web site (www.asatz.org). As usual, Oscar did a splendid job as the MC, and the members of ASA extend their gratitude to him for a job very well done!

The guests were treated to dance numbers featuring Afro-Mandingo, Twist Dance, James Brown, Micheal Jackson, Kwasa Kwasa, Zangalewa and Bob Murray.





MC Oscar with Fatou Jammeh who spoke on behalf of ASA



Celebration cake

throes where her head was 20% Cameroonian, but her heart was 80% Rwandese. These international jobs will integrate us and take us further away than we bargained for .



It was hard to recognize the participants, their stage getups were so unique and their make-up left everybody stunned.

Of course, there was the usual fund raising that was very successful and the evening continued long into the night as everybody was having so much fun dancing!

The gala dinner at AICC was a bash only worthy of Cameroonians. As they usually say, when it comes to parties, "Ce n'est pas ca qui va nous dépasser." On a serious note, after the national anthem, guests were treated to a colorful cultural evening featuring a dress parade of the renowned Kaba dress, followed by a vivid display of two traditional dances by the "Femmes dynamiques". Oral literature was re-visited as guests were entertained by the legendary story of Mr. Nkumkum. Over dinner, the legal minds around the Prosecutor must have been busy trying to figure out who in fact assassinated him. As expected, the sumptuous dinner was followed by heated dancing "a la camerounaise"!

• **Unparalleled Patriotism – At Home & Far Away from Home**



Judge Arrey Honoured by the Cameroonians



Singing the National Anthem

While ICTR boasts of many competent Cameroonian staff in its ranks, they are predominant in Language Services for obvious reasons. Thanks to its Anglo-French bi-cultural heritage Cameroon is the nursery of the best translators and interpreters on the continent and beyond, especially after some moved from Arusha to The Hague and remote Cambodia. So how do they handle life abroad? On 20 May 2011, for example?

In the wake of Judge Florence Rita Arrey, described by Hirondele as "the No-nonsense Judge" whom Cameroonians in Arusha decided to honor for ranking among the Top 50 Women who had marked Cameroon history since independence that evening, Cameroonians in Arusha made it a point to appeal to the Cameroon government to pay greater attention to the work done by those abroad to keep the national flag flying high. Will Yaounde heed this umpteenth appeal and perhaps take the cue from Dakar to create a ministry in charge of the diaspora? That is the Question.

In honour of the Cameroonian 39th national day, the women played against other ladies, while the men locked horns with the Rwandans in friendly matches. The AGM stadium was overloaded with excitement generated by over-zealous fans. A sister who recently got married to a Rwandese was caught off-guard cheering Cameroon. Before she knew it, she had been abducted to the Rwandan cheer group. It was only then that it dawned on her that by signing, she had taken a major decision. She was caught in emotional



The ladies' teams

Beyond the glamour of the event, few could guess that as in every nation there were

some who, far away from home, majestically boycotted the celebration. That





notwithstanding, Cameroonians gave their invitees a good run for their presence. Impressed, my Ghanaian brother told me, "*Pa, you guys have everything*". Before I could say thanks, he added, "*But you lack leadership to harness the human and natural resources. If you had that you would be strong!*".

everything." While you argue the veracity of that statement, I heartily congratulate my kinsmen and sincerely hope that after ICTR, things would have changed so much that, when we return home, we will indeed feel at home. Who wants to return home and be *No longer at Ease?*

I replied with some stoicism: "*Well, you can't have*

Chinua Achebe, I tip my hat to you!

It is Farewell to Bocar Sy and Rani Dogra



This year has seen the departure of two important members of staff in the External Relations and Strategic Planning Section (ERSPS) who were in the Communications Unit whose duties included the production of this ICTR Newsletter. These are none other than Mr. Bocar Sy, the former Chief of the Communications Unit, who parted ways with the Tribunal at the end of December 2010, following his retirement and now Ms. Rani Dogra, the Editorial Assistant, who is leaving the Tribunal on 30 June 2011.

The two, both veterans of the Tribunal, with Bocar having joined the Tribunal some 15 years ago and Rani having docked 11 years with the ICTR have truly been instrumental in shaping the policies and activities of the Communications Unit.

Bocar was instrumental in the production of several brochures, posters, pamphlets and leaflets of the ICTR as well as the Tribunal's documentary films. It is through his commitment and professionalism to the Tribunal that the ICTR managed to set up the many elaborate exhibitions which were staged in various parts locally, in the East African region and in the rest of the continent and in Europe and America. He was also the darling of the thousands of journalists and media practitioners in the region and in various parts of the world who sought information on the work of the ICTR. We all wish him the best in his future endeavours. And for sure he will remain part of this great family of the ICTR.

Rani was the Web Content Manager, ensuring that the ICTR website was always up to date with the latest information. She was instrumental in designing and laying out many of the Unit's publications, as well as the monthly Newsletter. She used these skills in assisting staff members and various other Sections in producing informal posters and information material for their social functions. She was often seen walking around with her camera taking photos of important occasions, of the detainees in the courtrooms, of judges and during seminars and workshops. She leaves behind a legacy of a comprehensive database of photos and one of an e-mail mailing list that is used to disseminate ICTR information all over the world.

"My Section will surely miss both Bocar and Rani, whose services to the Tribunal were exemplary. They also displayed full commitment to the mission of the Tribunal and the United Nations as well as to the noble goals of all mankind," said Mr. Roland Amoussouga, the Chief of the ERSPS.