



ICTR Newsletter

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United Nations International Criminal Tribunal for Rwanda

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Appeals Chamber Affirms Rukundo's and Kalimanzira's Convictions but Reduces their Sentences

The Appeals Chamber of the International Criminal Tribunal for Rwanda, composed of Judges Fausto Pocar, presiding, Mehmet Güney, Liu Daqun, Theodor Meron, and Carmel Agius, on 20 October 2010 delivered two judgements in the cases of the *Prosecutor vs Emmanuel Rukundo* and the *Prosecutor vs Callixte Kalimanzira*.

The Chamber affirmed the conviction of Rukundo, a former Military Chaplain, for genocide and for murder and extermination as crimes against humanity in relation to the events related to Saint Joseph's College and for the killing of Tutsi refugees abducted from the Saint Léon Minor Seminary. But it did so on the basis of his responsibility for aiding and abetting these crimes rather than committing them as the Trial Chamber III had found on 27 February 2009. In addition, the Appeals Chamber, Judge Pocar dissenting, reversed Rukundo's



Emmanuel Rukundo

conviction for genocide by causing serious mental harm to a Tutsi woman when he sexually assaulted her.

The Appeals Chamber then reduced Rukundo's sentence to 23 years of imprisonment from the 25 years he had previously been sentenced to. The Prosecution appeal was dismissed in its entirety.

reversed Kalimanzira's remaining convictions after finding several factual and legal errors in the Trial Chamber's assessment. The Appeals Chamber dismissed the Prosecution appeal in its entirety.

Trial Chamber III, on 22 June 2009, found Kalimanzira guilty of instigating and aiding and abetting genocide at the roadblock on Butare-Gisagara road around 22 April 1994, at Kabuye hill on 23 April 1994 and at the inauguration of Élie Ndayambaje as bourgmestre of Muganza Commune on 22 June 1994. In addition, it convicted Kalimanzira for committing direct and public incitement to commit genocide in Butare prefecture.

Rukundo was born on 1 December 1959 in Mukingi Commune, Gitarama Prefecture, Rwanda. In February 1993, Rukundo, an ordained priest, was appointed as a military chaplain for the Rwandan army, a position he maintained throughout the relevant events. Kalimanzira was born in 1953 in Muganza Commune, Butare Prefecture, Rwanda and held various positions in the Rwandan government.

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Editor-in-Chief: *Roland Amoussouga*

Senior Editor: *Bocar Sy*

Associate Editor: *Danford Mpumilwa*

Editing/Layout/Design/Photos: *Rani Dogra*

Contributions: *Koffi Afande, Philipp Ambach,*

Aatsa Atogho, Charles Kamuru, Elolo Kumodzi,

Danford Mpumilwa, Jovenales Mwicigi, Office

of the Registrar, Shiva Paudel, Joseph Stefanelli,

Helge Zeitler

E-Mail: ictr-press@un.org



Callixte Kalimanzira

The Appeals Chamber also affirmed the conviction of Kalimanzira, former directeur de cabinet in the Ministry of Interior, for aiding and abetting genocide at Kabuye hill but reduced his sentence from the 30 years imprisonment he received earlier to 25 years. The Chamber, with Judge Pocar dissenting in certain instances,

ICTR Awards Winners of the Youth East African Essay and Drawing Competition on UN Day

The UN International Criminal Tribunal for Rwanda, on Monday 25 October 2010, awarded the winners of the East African Youth Essays and Drawings Competition at an elaborate ceremony also marking the UN Day in Arusha, Tanzania. The celebration which was graced by Ambassador Juma Mwapachu, the Secretary-General of the East African Community, who was guest of honour, was also attended by the President of the Tribunal Judge Dennis Byron, the Registrar Mr. Adama Dieng, ICTR Judges, Mr. Hans Koeppel, the Deputy Head of Mission at the German Embassy in



Ambassador Juma Mwapachu and Mr. Hans Koepfel

Dar es Salaam, senior government officials, UN staff and hundreds of students from primary and secondary schools in Arusha and those who took part in the competition from Kenya, Uganda, Rwanda, Burundi and Tanzania.



(l-r) Mr. Adama Dieng (Registrar), Judge Dennis Byron (President) and Mr. Riichard Karegyesa (represented the Prosecutor, Justice Hassan Bubacar Jallow at the flag raising ceremony

Ambassador Mwapachu hailed the initiative by the Tribunal to use the writing and creative abilities of the youth in the region to raise their awareness in matters pertaining to international justice, while the President, Judge Byron underscored the role of the youth in promoting peace in the region. The Registrar Mr. Dieng hailed the youth for their commitment to peace and reiterated the Tribunal's resolve to continue sensitizing the youth in the region.

Also to address the congregation were the winning students who displayed amazing grasp and understanding of genocide, the concept of international justice and their future role in promoting peace and security in the region.

Hundreds of entries were received in the competition organized by the Tribunal, whose aim was to sensitize the youth of the Great Lakes region on the "Role of the Tribunal in Promoting International Justice". The first winners in each category from each country attended the ceremony and received their awards. The awards include a Lap Top Computer and software each to the



two top winners in each category – essays and drawings – and a Desk Top Computer with software to the top winning schools in each category from each country.

The Competition was part of the Tribunal's Educational and Outreach campaign to raise awareness of the youth in the region in the global fight against the culture of impunity, following the tragic events that led to the genocide in Rwanda in 1994. It involved students from Primary and Secondary schools in the region. The project was graciously funded by the government of the Federal Republic of Germany through its Embassy in Dar es Salaam.



ICTR Judges and VIPs at the Exhibition

At the awards ceremony the Tribunal also organized an exhibition on the work of the ICTR and genocide as well as displays of some of the outstanding entries in the Drawing and Essay Competition.

More photos on the last page ...



ICTR Judicial Activities

• Work of the Trial Chambers and the Appeals Chamber in October 2010

Trial Chamber I

The work of this Trial Chamber has been completed.

Trial Chamber II

Ongoing trials

Ngirabatware

On 14 October 2010, the Chamber issued its Decision on Defence Motion for Judgement of Acquittal, in which the Chamber denied the Defence Motion, but granted the Prosecution request to withdraw 15 paragraphs of the Indictment. On 25 October 2010, the Chamber held a Pre-Defence Conference, and stated that the Defence case-in-chief remains scheduled to commence on 15 November 2010. During the reporting period, the Chamber issued three written decisions or orders.

Trials in Judgement Drafting Phase

Nyiramasuhuko et al. ("Butare")

Deliberations and judgement drafting continued.

Nidiliyimana et al. ("Military II")

Deliberations and judgement drafting continued.

Bizimungu et al.

Deliberations and judgement drafting continued.

Hategekimana

Deliberations and judgement drafting continued.

Kanyarukiga

Deliberations and judgement drafting continued. The Judgement is scheduled for delivery on 1 November 2010.

Trial Chamber III

Ongoing trials

Nzabonimana

Four Defence witnesses were heard during the session that took place between 11 and 22 October 2010. The Trial Chamber has heard 19 Prosecution witnesses and 29 Defence witnesses in four sessions thus far. A fifth session is scheduled to open on 28 February 2010. The break allows the Judges on the bench to work on other cases. The Trial Chamber issued one written decision in October.

Karemera et al.

The Chamber sat from 18 October to 27 October 2010 to hear the case of Matthieu Ndirumutse, the last accused to present his defence in the *Karemera et al.* case. So far, the Chamber has heard 21 witnesses for Matthieu Ndirumutse. The Chamber issued 14 oral and written decisions in October. The next session will

take place from 8 to 25 November 2010. Acknowledging the difficulties Matthieu Ndirumutse is experiencing to secure the availability of witnesses, the Chamber has ordered that Matthieu Ndirumutse shall take the stand should there be no witness ready during the session.

Ndahimana:

No witnesses were heard in the *Ndahimana* case in October 2010. The break in the trial was due to work of the Judges in other cases. The Trial Chamber issued one decision.

Trial in Judgement Drafting Phase

Gatete

The case is currently under deliberations, as the evidence phase of the trial has been completed and both parties have submitted their closing briefs. In October, the Chamber issued one decision and undertook a site visit to Rwanda. Oral closing arguments will be held on 8 and, if necessary, 9 November 2010.

Pre-Trial

Nizeyimana:

The Chamber held a Pre-Trial Conference on 7 October 2010 where scheduling and other issues were discussed with the Parties. In October, the Chamber rendered five decisions. The trial is scheduled to commence on 17 January 2011.

Uwinkindi

The Prosecution has filed an Amended Indictment as well as a Motion for Protective Measures. The Defence filed two Motions. The Pre-trial Chamber will issue decisions shortly.

Appeals Chamber

In October, in addition to rendering two Appeal Judgements, the Appeals Chamber decided two interlocutory appeals, disposed of two post-appeal requests, and issued seven pre-appeal decisions or orders.

In its judgement of 20 October 2010, the Appeals Chamber affirmed Emmanuel Rukundo's convictions for genocide and for murder and extermination as crimes against humanity but did so on the basis of his responsibility for aiding and abetting these crimes rather than committing them as the Trial Chamber had found. In addition, the Appeals Chamber reversed Rukundo's conviction for genocide in relation to the causing of serious mental harm. The Appeals Chamber reduced Rukundo's sentence from 25 to 23 years of imprisonment.

On the same day, the Appeals Chamber affirmed Callixte Kalimanzira's conviction for aiding and abetting genocide. However, the Appeals Chamber reversed Kalimanzira's remaining convictions. Accordingly, it reduced his sentence to from 30 to 25 years of imprisonment.

The Appeals Chamber is seized of ten matters,



including six cases involving 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 and the appeals are being prepared for a hearing.

In the *Renzaho* case the Trial Judgement was rendered on 14 July 2009, the briefing in this appeal concluded on 5 May 2010, and the appeal was heard on 16 June 2010. Deliberations and Judgement drafting are in progress.

The Trial Judgement in the *Muvunyi* case was rendered on 11 February 2010. The briefing of the appeals was completed at the end of July 2010 and the appeals were heard on 21 October 2010. Deliberations and Judgement drafting are in progress.

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 is 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 and the briefing is 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.

The Trial Judgement in the *Nsengimana* case was pronounced on 17 November 2009 and issued in writing on 18 January 2010. On 17 February 2010, the prosecution indicated that it did not intend to appeal Nsengimana's acquittal. The prosecution is, however, appealing against a decision of the Trial Chamber not to prosecute certain members of the defence team for contempt.

In addition to these appeals, the Appeals Chamber is seized of one interlocutory appeal in the *Karemwa & Ngirumpatse* case as well as requests for review in the *Kamuhanda* and *Karera* cases.

• **Death of Convict Georges Rutaganda in Benin**



Georges Anderson Nderubumwe Rutaganda (52), a former member of the national and prefectural committees of the *Mouvement Républicain National pour le Développement et la Démocratie* (MRND) who was serving as the second Vice

President of the National Committee of the *Interahamwe*, the youth militia of the (MRND), passed away on 11 October 2010 in Benin, following sudden complications of a long illness. Rutaganda was also a shareholder of *Radio Télévision Libre des Mille Collines* (RTL).

Georges Rutaganda was sentenced to imprisonment for life following his conviction on one count of Genocide and two counts of Crimes against Humanity by the Tribunal. Trial Chamber I composed of Judges Laïty Kama, presiding, Lennart Aspegren and Navanethem Pillay unanimously found that Rutaganda incurred individual criminal responsibility in particular for having ordered, incited and carried out murders and for causing serious bodily or mental harm to members of the Tutsi ethnic group during the genocide in Rwanda in 1994.

The International Criminal Tribunal for Rwanda and the Government of Benin extend their condolences to the family of Georges Rutaganda, who has been serving his life sentence in Benin since 27 June 2009.

• **Appeals Chamber Hears Oral Arguments in the Muvunyi Case**

The Appeals Chamber of the International Criminal Tribunal for Rwanda, composed of Judge Patrick Robinson, presiding, Judge Fausto Pocar, Judge Liu Daqun, Judge Theodor Meron, and Judge Carmel Agius, on 21 October 2010 heard oral arguments in the appeals lodged by Tharcisse Muvunyi and the Prosecution against the Judgement pronounced by Trial Chamber III on 11 February 2010.



The Trial Chamber convicted Muvunyi of direct and public incitement to commit genocide based on his statements made at a public meeting at the Gikore Trade Center and sentenced him to 15 years of imprisonment. This conviction followed a retrial ordered by the Appeals Chamber on this allegation on 29 August 2008.

Muvunyi contends that the Trial Chamber committed a number of errors of fact and law, and accordingly requests the Appeals Chamber to overturn his conviction or in the alternative to reduce his sentence. The Prosecution requests the Appeals Chamber to increase Muvunyi's sentence to 25 years of imprisonment.

Muvunyi was born on 19 August 1953 in Mukarange Commune, Byumba Prefecture, Rwanda. In 1994, he held the rank of Lieutenant Colonel in the Rwandan army and was stationed at the Ecole des Sous-Officiers in Butare Prefecture.

Busy Schedule for the ICTR Registrar

• **ICRC Third Universal Meeting**

The Registrar was invited by the International Committee of Red Cross (ICRC) as a panellist for the ICRC Third Universal Meeting of IHL National Committees on 27-29 October in Geneva. The Registrar's topic of discussion was articulated on the "Preventive role of repression/sanction on individual behaviour". During his presentation, the Registrar

indicated how, through the ICTR mandate to try genocide, crimes against humanity and war crimes committed in non international armed conflict, the ICTR endeavours to give a model justice and the emergence of an accountability justice in a region where impunity has always prevailed.

The meeting was very well attended by representatives of National Commissions numbering 95 worldwide. Experts from national and regional organizations, as well as from Red Cross and Red Crescent were also invited.

- **Conference on Corporate War Crimes: Prosecuting the pillage of natural resources**

Immediately after the end of the ICRC meeting, the Registrar flew to The Hague to chair a panel at a high-level public conference on corporate pillage of natural resources held at the Peace Palace, The Hague, Netherlands from 29-30 October 2010. The conference was sponsored by the Dutch and Canadian Ministries of Justice, together with the Open Society Institute, the Universities of British Columbia and Leiden University. The Registrar introduced the positive and negative consequences of the prosecution of pillage by pointing out the link between pillage and armed conflict which has been the subject of particular attention over the last two decades, particularly with the studies of scholars like Jean and Rufin, Keen, Paul Collier and Karen Ballentine.

The Registrar further emphasized that the international community has not stayed motionless in the face of the pillage, including the remote seemingly lawless areas. It has been rather imaginative in finding new ways of promoting ethics in business. Multinational companies, from member countries of the OECD are for example bound to observe a strict code of conduct enacted by this body. The “Kimberly Process Certification Scheme”, the “Publish What You Pay”, the “Extractive Industry Transparency Initiative”, the “Peace Diamond Alliance” or the “Campaign for Just Mining”, to name a few, are all initiatives from public entities or NGOs, geared towards bringing about more transparency and responsibility in business, particularly in war zones.

ICTR and INTERPOL host second International Training Course for Investigators – *INTERPOL Website*

Developing the knowledge and expertise in investigating and prosecuting genocide, crimes against humanity and war crimes was the focus of a 10-day course co-hosted by INTERPOL and the International Criminal Tribunal for Rwanda (ICTR) in Tanzania.

More than 30 law enforcement officers and specialists from 16 countries took part in the second such course organized by INTERPOL, with training provided by a wide range of experts from United Nations Tribunals, the International Criminal Court, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and other international institutions and national specialized agencies.

Addressing crucial aspects of investigating serious international crimes, participants were trained in areas including handling witnesses, forensic evidence related to mass atrocities, sexual and gender based violence in conflict situations and issues related to the status of refugees.

The course was also aimed to prepare participants for possible collaboration with peacekeeping forces that might be deployed in different countries as well as on how to integrate national investigations with investigations carried out by International Courts and Tribunals.



Mr Adama Dieng, Registrar (middle), Mr. Roland Amoussouga, and Mr. Stefano Carvelli, INTERPOL (right) during the opening ceremony.

Opening the meeting, Mr Adama Dieng, Registrar of the ICTR, saluted the partnership and the close relationship that INTERPOL has maintained with the ICTR over the years, stressing that “*this partnership has been remarkable and is now characterized by a renewed sense of urgency in strengthening our co-operation for the apprehension of the remaining ten fugitives at this critical juncture of its completion strategy.*”



(l-r) Justice Hassan Bubacar Jallow, Mr. Stefano Carvelli, ICTR President, Judge Dennis Byron and ICTR Spokesperson, Mr. Roland Amoussouga at the Closing Ceremony

Stefano Carvelli and John Barry of INTERPOL’s Fugitive Investigative Support unit which organized the course, said the meeting was “*an important measure since investigating genocide, war crimes and crimes against humanity is a specialist area that clearly requires specialist training.*”

International expert of International Humanitarian Law Professor Ray Murphy from the Irish Centre for Human Rights, said “*We can only end impunity when we provide investigators with the training and the knowledge required. INTERPOL is to be commended for organizing a course for this purpose.*”

INTERPOL has been supporting member countries and International Criminal Tribunals in this area since 1994, primarily through issuing wanted persons Red Notices and other investigative assistance.

In December 2007, INTERPOL created the Rwandan Genocide Fugitives Project following a resolution at its General Assembly that year. It aims to apprehend the fugitives wanted by the ICTR and by Rwandan Judicial



Participants at the Closing Ceremony

Authorities and to date has led to the arrest of six fugitives wanted by the international tribunal.



Leo Nwoye from OTP receives his certificate

At the closing ceremony, where all the participants were presented with certificates, Mr. Carvelli presented an engraved token to Judge Dennis Byron, President of the ICTR.

• **ICTR Arrests made in Conjunction with Interpol**
(as of 21 October 2010)

Jean-Bosco Uwinkindi (59), former Pastor in charge of the Pentecostal Church at Nyamata, Kenzenze Commune, Kigali Rural prefecture who is facing charges before the Tribunal was on 2 July 2010 transferred to the UN Detention Facility in Arusha. Uwinkindi was arrested on 30 June 2010 in Kampala, Uganda.

Idelphonse Nizeyimana, former second in command, in charge of intelligence and military operations at ESO (*Ecole des Sous Officiers*), was on 5 October 2009 arrested in Kampala, Uganda by the National Central Bureau of Interpol of the Ugandan Police in collaboration with the tracking team of the International Criminal Tribunal for Rwanda (ICTR). The accused, who is the second to be arrested in the list of 13 fugitives in less than two months, was on 6 October 2009 transferred to the UN Detention Facility in Arusha.

Nizeyimana is one of the four top accused who are earmarked by the Prosecutor to be tried by the Tribunal in Arusha after their arrest as part of the ICTR completion strategy.

Grégoire Ndahimana, former mayor of Kivumu, Kibuye prefecture in Rwanda. Ndahimana is alleged to have been, on or between the dates of 6 April 1994 and 20 April 1994, in Kivumu commune, responsible for killing or causing serious bodily or mental harm to members of the Tutsi population. He is alleged to have planned the massacres of members of the population of mostly tutsi ethnic group who had sought refuge at the Nyange Parish, jointly with Father Athanase Seromba (sentenced to 15 years in the first instance and to imprisonment for the remainder of his life after dismissal of his appeal) and Fulgence Kayishema (still at large).

Ndahimana, 57, was arrested on 10 August 2009 at Kachuga Camp in North Kivu, Democratic Republic of Congo (DRC) during a combined operation by the



INTERPOL Wanted Poster for Rwanda Fugitives at large

ICTR, the United Nations Mission in the DRC (MONUC) and the DRC law enforcement agencies. He was transferred to the United Nations Detention Facility in Arusha on 21 September 2009.

Callixte Nzabonimana, a former minister of youth and sports in the interim Government of 1994 in Rwanda and also member of the Mouvement Républicain National pour le Développement et la Démocratie (MRND) was arrested on 18 February 2008 in Kigoma town, Tanzania. His arrest was facilitated by the tracking Team of the office of the Prosecutor. Nzabonimana, 55, is facing six counts charging him with Conspiracy to Commit Genocide, Genocide, Complicity in Genocide, Direct and Public Incitements to commit Genocide, Crime against Humanity and Violations of Article 3 common to the Geneva Conventions and Additional Protocol II.

Dominique Ntawukulilyayo, a former Sub-Prefect of Gisagara in Butare, was on 5 June 2008 transferred from Paris, France to the UN International Criminal Tribunal for Rwanda Detention Facility in Arusha, Tanzania. Ntawukulilyayo is charged with three counts of Genocide, or in the alternative, Complicity in Genocide and Direct and Public Incitement to Commit Genocide.

Ntawukulilyayo was arrested in France on 17 October 2007 following an indictment issued by the Tribunal on 26 May 2005. On 21 September 2006 a warrant of his arrest was served to the French Government. After his arrest the accused contested his extradition to Arusha in the French courts and in May 2008 France's Court of Appeal turned down his request. The accused then appealed to the European Human Rights Court in Strasbourg which also refused to block his transfer.

Ntawukulilyayo is alleged to have planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of crimes of genocide against Tutsis in Butare prefecture. Specifically he is alleged to have aided and abetted killings at Kabuye hill where as many as 25,000 Tutsi refugees were killed between 21 to 25 April 1994. In April and May 1994, Ntawukulilyayo, is also said to have addressed several meetings in Gikoro, Mudabori and Nyaruhengeri where he, among others, promised to reward those who would kill the greatest number of Tutsis with houses, land and money.

Augustin Ngirabatware, former Minister of Planning, who is facing charges of genocide and serious violations of international humanitarian law was on 8 October 2008 transferred from Frankfurt, Germany to the UN Detention Facility in Arusha, Tanzania.

Ngirabatware was arrested in Germany on 17 September 2007. The accused is facing nine counts charging him with genocide, conspiracy to commit genocide; complicity in genocide; direct and public incitement to commit genocide; crimes against humanity for murder, extermination, rape, inhumane acts; and serious violations of the Geneva Conventions and of Additional Protocol II.

News from Kigali

- **Training Workshop of the Rwandan Judiciary on witness protection**



Participants at the Workshop

Mr. Adama Dieng, the Registrar attended the Training Workshop of the Rwandan Judiciary on Witness Protection organized by the Witnesses and Victims Support Section (WVSS) from 13-14 October in Ruhengeri, Kigali. This training was the second one organized to assist the Rwandan Witness Protection Programme recently established. It aimed at enhancing their knowledge of the tools offered by the ICTR Witness Support and Protection Programme by equipping them with all relevant skills and methodologies in the strategic approach towards successful management of the protection and support of witnesses. In his opening statement, the Registrar highlighted ICTR's efforts to assist in strengthening Rwandan national judicial capacity in the area of witness support and protection and that many of the ICTR witnesses testifying in Arusha come from Rwanda. The cooperation of Rwandan authorities in the issuance of travel documents to ICTR witnesses has made it possible to conduct most of ICTR trials in the most expeditious manner.

The Workshop was also attended by ICTR Spokesman and Chief of ERSPPS, Mr. Roland Amoussouga, and the OIC, Office of the Prosecutor in Kigali, Mr. Alfred Kwende and ICTR experts from various sections who made relevant presentations around the legal framework, the human and financial resources, the cooperation around the protection of witnesses. The mandate of the ICTR Witness Assistance and Protection Programme was largely covered as well as the types and categories of witnesses and testimonies.

In addition to the Training, the Registrar paid a courtesy call on the President of the Rwanda Supreme Court, Mrs. Aloysie Cyanzayire. The main topic of discussion was the Project "Video-conference Facility for the Supreme Court of Rwanda", funded by the Government of the Federal Republic of Germany, which has already been endorsed by ICTR and Rwanda.

News from The Hague

- **Workshop on "Human Rights in the Administration of Justice: Prohibition and Prevention of Torture"**

Mr. Koffi Kumelio A. Afande, Legal Officer at the Appeals Chamber Support Section in The Hague, participated in a Rule of Law capacity building workshop on the topic "Human Rights in the Administration of Justice: Prohibition and Prevention of Torture" from 15-22 October 2010. The workshop was held in Madagascar. Organised under the umbrella of the Geneva-based "Association for the Prevention of Torture" (APT), the workshop aimed at training Malagasy judges, prosecutors, investigating judges and lawyers in fighting against Torture and Other Cruel, Inhuman and Degrading Treatment and Punishment.



Koffi Afande (third from left) at the Malagasy Ministry of Justice

The overall objectives of the training was threefold:

First, it aimed at providing the Malagasy practitioners of law with efficient international legal and jurisprudential tools to assist them in implementing the law against Torture passed in Madagascar on 25 June 2008.

Second, the training aimed at sensitising the Malagasy

practitioners of law of the relevance of their role in the protection of Human Rights and particularly in the fight against torture within the general context of *habeas corpus*.

Third, the training was designed to deepen and update the skills of the law practitioners in the field of the prohibition of torture.

During the workshop, Mr. Afande gave a lecture on the fundamental questions and challenges relating to the prevention, prohibition and prosecution of torture as well as the compensation for victims in the light of the of the UN Convention of 1984 against Torture and Other Cruel, Inhuman and Degrading Treatment and Punishment and other relevant international instruments. During his presentations, Mr. Afande laid emphasis, among other issues, on the peremptory character of the prohibition of torture in International Humanitarian Law and International Human Rights Law, International Public Law and in International Customary Law, either as a matter of treaties or in the sense of *jus cogens*. He also emphasized the development of the prohibition in the jurisprudence of selected countries; in the jurisprudence of international jurisdictional as well as of the quasi-jurisdictional organs such as the Committee against Torture, the UN Human Rights Committee, the African Commission of Human and People's Rights, the European Court of Human Rights, the Inter-American Court of Human Rights.

Mr. Afande also participated in a project of designing a teaching programme to be included in the curriculum of the School of Magistrate and Police Officers. He also contributed to another on-going project of drafting of a reference manual on the prohibition of Torture and Other Cruel, Inhuman and Degrading Treatment and Punishment in the Malagasy Law.

ICTR Training

- **LPE Examinations**

United Nations staff members are strongly encouraged to become proficient in two or more official languages of the organization in order to achieve and maintain linguistic balance in the Organization. The LPE is open to all individuals who were admitted to participate in a United Nations language course, after they have completed the highest level of that course. This year LPE Examinations were conducted from 18-20 October 2010. The Examinations consisted of a written part and an oral part.

The LPE may be taken by staff members appointed under any series of the Staff Rules who have not attended or completed a United Nations language course but can document that they possess an equivalent knowledge of the language in which they wish to be tested. In ICTR, an entrance test is conducted to establish suitability of a candidate who has acquired the knowledge elsewhere.

Adequate and demonstrated knowledge in one of the official languages of the United Nations shall be established by means of a Language Proficiency



Candidates during the LPE Exam

Certificate awarded by the United Nations upon the staff member's successfully passing the United Nations Language Proficiency Examination (LPE) in that language. As it is considered to be part of the career development programme, the United Nations Secretariat does not charge its staff members for the LPE or any other exams. However, to non-Secretariat entities, LPE is offered on a cost recovery basis since 2009. A fee of \$150 is charged per registrant. A total number of 40 staff members registered for LPE in 2010, 15 from Kigali and 25 from Arusha. ICTR has a commendable pass rate.

- **Chambers Continuing Legal Education Symposium**



Some of the Participants (interns) at the Symposium

The Chambers Continuing Legal Education (CLE) Committee hosted a Symposium from 21-23 October at Ngurdoto Mountain Lodge. The Symposium provided an ideal opportunity for Judges and Chambers Legal Staff to hold discussions with current and former Appeals Chamber Judges and Legal Officers about the current status of jurisprudence on recurring legal issues confronted in the Tribunals. The Symposium also provided a forum whereby the Judges and Chambers Legal Staff could discuss which practices have been proven to be most successful for management, synthesis, and analysis of evidence during trial and judgement drafting. All participants contributed to the sharing of knowledge, and as a result steps have certainly been made in the right direction toward the goal of achieving increased efficiency in trial management and drafting of quality judgements.



Staff Welfare News

• Stress Management Training at UNDF

The Staff Counsellor held a Stress Management Training at UNDF on 21 October 2010. She encouraged participants to discuss stress issues relevant to their work and environment. This was facilitated by creating small groups that made presentations on stressful issues. A discussion session followed this presentation, where issues brought up during the training were also referred to. The training consisted of two parts. The first part was an interactive knowledge base where participants learned about stress and how to manage it. In the second part they were made to take part in a relaxation exercise. Research has shown that both awareness of stress factors and relaxation exercises serve as effective mechanisms for managing stress at work.



The training was very successful and other similar trainings will be scheduled in the nearest future.

• ICTR Family Fun Day

Once again Staff Counselling & Welfare Unit has joined hands with ICTR Staff Association and Staff Welfare Committee to organize a family fun filled day for all.



Some of the Members of the Committee

ICTR Family Fun Day is scheduled to take place on Saturday 27 November 2010. The planned activities will bring talents from the three organs of the Tribunal through inter-section sports and singing competitions, children's activities and many others – as usual, there will be abundant food reflecting cuisine from different parts of the world. The event will start by a walk from the ICTR parking to a venue still to be decided on.

Vienna ICL Conference

The Working Group of German-speaking scholars on International Criminal Law held its yearly conference on international criminal and humanitarian law in

Vienna, Austria from 1-2 October 2010. The conference was co-hosted by ex-ICTY Judge Frank Hoepfel from Vienna University and Professor Claus Kress from Cologne University, Germany.

This year, for the first time a representative of the ICTR, Associate Legal Officer in the Appeals Chamber Philipp Ambach, spoke at the conference and gave a presentation on the Tribunal's Appeals Chamber's recent jurisprudence (2009/2010), which was received with much interest. Participants were German-speaking legal scholars as well as representatives who assisted at the Review Conference of the International Criminal Court (ICC) in Kampala (from Germany, Austria, Switzerland and Liechtenstein), as well as representatives of the German National Police and the Federal Prosecution Office. Since much discussion focused on the ICC, the Kampala Conference and the final ASP Resolution on the crime of aggression, it was felt to be important to remind the audience that the Tribunals are more active and efficient than ever before, and can truly be considered as the main "engines" of important jurisprudence and the creation and interpretation of legal standards in international criminal and humanitarian law (together with the SCSL in Sierra Leone and the ECCC in Cambodia).

In the participating staff member's view, the ICTR's work and important jurisprudence could be successfully brought back into focus during the conference as an institution that is of equal importance as the ICC and one of the most efficient mechanisms to codify the consented and applicable standards of international criminal and humanitarian law.

Relocation of Office Space

Containers from Kigali, used as offices, have been transported to ICTR Arusha. Building Management Services (BMS) of General Services Support Section (GSSS) have installed them at the rear of the AICC premises (Serengeti Wing), thus creating additional office space to accommodate the additional requirements for office space.

Currently, the Communication Unit of Information Technology Support Services (ITSS) is relocated on the first floor of the newly erected facilities while the Procurement Section and Shipping Unit of the GSSS have occupied the ground floor. This relocation helped





the Organization to return excess office space thus created, to the landlord, Arusha International Conference Center (AICC).

The transport of the surplus accommodation containers from Kigali to Arusha and vacating the rented office space in Arusha is one of the continuous tasks of the GSSS to comply with the organization's completion strategy.

Translators/Intepretors or Musicians?

It all started when coincidentally they were all assigned to the same office – S-669, Serengeti Wing. Besides being Translators/Interpreters, and of different nationalities they are all passionate about music. Each plays at least one musical instrument; and they all sing. They are always exchanging lyrics, CDs and musical manuals.

To boost festivities at the 50th birthday of their colleague Eugene, S-669 decided to hit the stage at Snowcrest Hotel with Kibo Sounds Arusha. In two practice sessions, three songs were chosen to be performed with four instruments. The performance was a resounding success - the **LSS Bad Boys Band** had officially been born. But what a name for otherwise discreet professional interpreters and responsible family heads for that matter!

As the drummer and guitarist of the group, Aatsa explained: « we chose the name spontaneously, and what we intended was to re-live the good old days of the 70s with our dear colleague and friend, when we were mad about being young. We thought when we are not in the translators' booth in court, we should be on the podium - and prove that interpreters can also be artists, musicians, athletes and so on ».

Even so, 'Bad Boys Band' as a name did not really suit these guys at all. Not with an Atanga Livinus Cho, a dignitary from Akum in the North-West region in Cameroon! When he took up his guitar and sang « Le Pénitencier » followed by « Let it Be » at that party, he earned the band a standing ovation from many who

waxed nostalgic. Aware that this name could be misleading for a band that looks forward to recruiting other fine musicians at the Tribunal such as Judge Byron, the trio decided to change its name to the **BIG BOYS BAND**, and hereby prays the Chamber to grant its written motion.

After their last performance at the African Tulip, Bocar Sy, emeritus MC and head of the Communication Cluster at the Tribunal, stated that the Completion Strategy definitely poses no threat to these guys for it would only be with alacrity that they would take up a new profession. « Well, we will see » replied Elolo - saxophonist, singer and pianist of the group, since his dream is to set up quarters on the Kpalime hillside in his native Togo.



The BIG BOYS BAND

Today, the BIG BOYS BAND wishes to go beyond the confines of the LSS and become a real ICTR Band. Contacts are underway to bring all musicians at the Tribunal to form an orchestra. It would be a way of reminding DASS that 'all work and no play...' but also another way of paying tribute to our late colleague Xavier, who had wished to create such a group.

Next performance: ICTR Family Sports and Fun Day, slated to be held on 27 November 2010, and 4 December 2010, Rotary Gala Dinner. For any inquiries, kindly call Ext 5436 or Ext 5228. Karibuni !!!



Photographic Overview of the UN Day Celebrations and Youth East African Essay and Drawing Competition Finale

