



ICTR NEWSLETTER

September 2004



Published by the External Relations and Strategic Planning Section – Immediate Office of the Registrar
United Nations International Criminal Tribunal for Rwanda



Ad Litem Judges from left to right: Judge Gberdao Gustave Kam (Burkina Faso), Judge Karin Hökberg (Sweden), Judge Taghrid Hikmet (Jordan), and Judge Seon Ki Park (Republic of Korea)

In this issue

De Silva to Replace Gunawardana.....	2
ICTR Judges- Order of Precedence.....	2
Trials Completed	3
New Trials Started.....	3
Recent Arrests	4
President and Prosecutor Address Security Council	4
Completion Strategy	5
ICTR Delegation at the African Union.....	5
Discussions on Enforcement of ICTR Sentences in Rwanda.....	5
ICTR Launches SOS Programme	6
Proposed Project for HIV Treatment ..	7
The HDR 2004	7
Rwandese Students at ICTR	8

Editor-in-chief: Roland Amoussouga

Senior Editor: Bocar Sy

Executive Editor: Timothy Gallimore

Layout/Design: Rani Dogra, Serena Simonson

Contributions: Danford Mpumilwa, Roland Amoussouga, Timothy Gallimore, Judge Erik Mose, Elsie Effange-Mbella, Serena Simonson

E-Mail: ictr-press@un.org

Four Ad Litem Judges Appointed

Early in September, the Secretary-General of the United Nations appointed four ad litem judges to serve at the ICTR. Judges Taghrid Hikmet (Jordan), Karin Hökberg (Sweden), Gberdao Gustave Kam (Burkina Faso), and Seon Ki Park (Republic of Korea) were all sworn in on 17 September, 2004 in Arusha.

Judge Hikmet was appointed to the High Criminal Court in Jordan in 2003. She became the first female judge in Jordan in 1996 and has served as an Appellate Judge and Assistant Prosecutor General. Before that, she was an attorney-at-law before the Jordanian criminal and civil courts. Judge Hikmet was a member of the Jordanian International Assembly to the International Criminal Court and a member of the Preparatory Committee for the Beijing Conference. She has chaired various committees on human rights issues.

Judge Hökberg has been Vice President of Chamber in the Court of Appeal in Sweden from 1997. She was previously an Associate Judge in the Court of Appeal and subsequently an Appeal Court Judge. She has held prominent positions in the Ministry of Justice and the Minis-

try of Foreign Affairs. Judge Hökberg has also been delegate to numerous inter-governmental organizations, including UNESCO, GATT, the Hague Conference for International Private Law and the Council of Europe.

Judge Kam was recently National Coordinator of the Democracy, Rule of Law and Good Governance Support Program in Burkina Faso. He has also held other positions in the Ministry of Justice. Prior to this, he was the president of two regional courts and a public prosecutor in the Appeals Court. Before that, he was a lawyer in private practice. Judge Kam also participated in drafting the Statute, Rules and Regulations of the International Criminal Court.

Judge Park held various legal positions within the Ministry of National Defence in Korea, prior to opening his own law firm in Seoul. He served as General Counsel and Chief of the Legal Affairs Division in the Ministry. Prior to this, he was Staff Judge Advocate and Judge Advocate General in the Korean Army. Judge Park is licensed to practise law in Korea and in the State of Pennsylvania (USA).

(Continued on page 2)

New Judge Appointed to Replace Gunawardana



Judge de Silva

On 3 August 2004, the Secretary-General of the United Nations appointed Judge Joseph Asoka Nihal de Silva (Sri Lanka) as a permanent Judge of ICTR. The Judge, who was sworn in on 17 September 2004, replaces Judge Asoka de Zoysa Gunawardana who resigned on health grounds. The appointment has effect for the remainder of Judge Gunawardana's term which expires in 2007.

Born in 1946, Judge Asoka de Silva has been a Senior Judge of the Supreme Court of Sri Lanka since 2001. He was enrolled as an Attorney-at-Law of the Supreme Court in 1972, joined the Attorney-General's Department in 1974, and became Senior Deputy Solicitor-General in 1995. From 1995 to 2001, he was a Judge in the Court of Appeals, and became President of that Court.

Judge Asoka de Silva obtained his LLB degree from the University of Ceylon and later his LLM degree from the University of Colombo. He has attended several conferences and courses abroad, and has lectured at the Sri Lanka Law College and at the University of Colombo.

Ad Litem Judges

(Continued from page 1)

On 14 August 2002, the Security Council adopted Resolution 1431 which enabled the appointment of four ad litem judges to serve at the ICTR. On 27 October 2003, the Security Council, following a request by the Tribunal, adopted Resolution 1512 increasing the number of ad litem judges that may be used at any given time from four to nine. With the appointment of the four judges, the Tribunal will be staffed with the maximum of nine ad litem judges envisaged in the Resolution. The new judges have already been assigned to new trials which began late September 2004.

ICTR Judges- Order of Precedence

- 1. Judge Erik Møse (Norway)**
President ICTR, Presiding Judge Trial Chamber I
 - 2. Judge Andrésia Vaz (Senegal)**
Vice-President ICTR, Presiding Judge Trial Chamber III
 - 3. Judge Theodor Meron (United States)**
Presiding Judge, Appeals Chamber
 - 4. Judge William Sekule (United Republic of Tanzania)**
Presiding Judge, Trial Chamber II
 - 5. Judge Mohamed Shahabuddeen (Guyana)**
Member, Appeals Chamber
 - 6. Judge Florence Mumba (Zambia)**
Member, Appeals Chamber
 - 7. Judge Mehmet Güney (Turkey)**
Member, Appeals Chamber
 - 8. Judge Fausto Pocar (Italy)**
Member, Appeals Chamber
 - 9. Judge Arlette Ramaroson (Madagascar)**
Member, Trial Chamber II
 - 10. Judge Jai Ram Reddy (Fiji)**
Member, Trial Chamber I
 - 11. Judge Sergei Alekseevich Egorov (Russian Federation)**
Member, Trial Chamber I
 - 12. Judge Wolfgang Schomburg (Germany)**
Member, Appeals Chamber
 - 13. Judge Inés Mónica Weinberg de Roca (Argentina)**
Member, Appeals Chamber
 - 14. Judge Khalida Rachid Khan (Pakistan)**
Member, Trial Chamber III
 - 15. Judge Dennis C. M. Byron (St Kitts and Nevis)**
Member, Trial Chamber III
 - 16. Judge Asoka J. N. de Silva (Sri Lanka)**
Member, Trial Chamber II
- Ad litem judges*
- 17. Judge Solomy Balungi Bossa (Uganda)**
Member, Trial Chamber II
 - 18. Judge Flavia Lattanzi (Italy)**
Member, Trial Chamber III
 - 19. Judge Lee Gacuiga Muthoga (Kenya)**
Member, Trial Chamber II
 - 20. Judge Florence Rita Arrey (Cameroon)**
Member, Trial Chamber III
 - 21. Judge Emile Francis Short (Ghana)**
Member, Trial Chamber II
 - 22. Judge Karin Hökberg (Sweden)**
Member, Trial Chamber III
 - 23. Judge Taghrid Hikmet (Jordan)**
Member, Trial Chamber II
 - 24. Judge Seon Ki Park (Korea)**
Member, Trial Chamber II
 - 25. Judge Gberdao Gustave Kam (Burkina Faso)**
Member, Trial Chamber III

Trials Completed

Since October 2003, a total of six trials involving ten accused were completed. Eight accused were convicted for crimes they committed in Rwanda in 1994. Five were sentenced to life imprisonment, three were sentenced to prison terms of 35 years, 30 years, and 27 years respectively and two others were acquitted. The Appeals Chamber also upheld a conviction and sentence in one case.

On 15 July 2004 Trial Chamber I of the International Criminal Tribunal for Rwanda (ICTR) convicted *Emmanuel Ndinabahizi* of genocide and crimes against humanity (extermination and murder) and sentenced him to imprisonment for the remainder of his life. *Ndinabahizi* was a former Minister of Finance in the Interim Government of Rwanda from April to July 1994.

On 15 June 2004 Trial Chamber III of the International Criminal Tribunal for Rwanda unanimously condemned *Sylvestre Gacumbitsi*, a former mayor of the Commune of Rusomo in Rwanda, to thirty years imprisonment having found him guilty of genocide, and of extermination and rape as crimes against humanity. The judges also unanimously rejected the charge of complicity in genocide which was levelled against the accused as an alternative to that of the charge of genocide. The remaining charge, murder as a crime against humanity was also rejected. The Trial Chamber decided to credit *Gacumbitsi* with the time he had already spent incarcerated.

On 25 February 2004 Trial Chamber III of the Tribunal sentenced *Samuel Imanishimwe*, former military commander in the Rwanda Armed Forces to 27 years in prison after convicting him on six counts of genocide, crimes against humanity and serious violations of Article 3 Common to the Geneva Conventions and of Additional Protocol II. The Chamber however acquitted *André Ntagerura*, former Minister of Transport and Communications and *Emmanuel Bagambiki*, former Prefect of Cyangugu of similar charges.

The following day, the Chamber ordered the conditional release of *Ntagerura* and *Bagambiki* as requested by the Prosecution and in accordance with the Rules of Procedure and Evidence of the Tribunal.

On 22 January 2004, Trial Chamber II convicted *Jean de Dieu Kamuhanda*, former Minister of Higher Education and Scientific Research and sentenced him to life imprisonment. In reaching its guilty verdict on two counts, the Trial Chamber found that *Kamuhanda* harbored the intent to destroy the Tutsi ethnic group in whole or part and is individually criminally responsible for instigating, ordering, aiding and abetting genocide against Tutsi by virtue of his role in the killing of members of the Tutsi ethnic group in the Gikomero Parish Compound where he ordered Interahamwe militia, soldiers, and policemen to kill the Tutsis. The judges also found that a large number of Tutsi were exterminated as a direct result of *Kamuhanda's* participation by ordering, instigating, aiding and abetting the attack of the Gikomero Parish Compound.

On 9 July 2004, the Appeals Chamber of the United Nations International Criminal Tribunal for Rwanda dismissed in its entirety the appeal by *Eliezer Niyitegeka*, Minister of Information of Rwanda's Interim Government in 1994, and affirmed his conviction and sentence to imprisonment for the remainder of his life.



From left to right: *Gacumbitsi* (convicted), *Kamuhanda* (convicted), *Ndinabahizi* (convicted), *Niyitegeka* (appeal dismissed)

New Trials Started

Since October 2003, five new trials involving fifteen accused began. These are the Military I, *Simba*, *Seromba* and the "Government I" and "Government II" cases.

On 30 August 2004, the trial of former Rwandan army officer, Lt. Colonel *Aloys Simba*, began with the Prosecution's opening statement. The Accused, aged 62, is charged with four counts: genocide, complicity in genocide, and crimes against humanity (extermination and murder). These crimes were allegedly committed during massacres in two provinces in southern Rwanda. The Accused has pleaded not guilty to the charges.

The trial is before Trial Chamber I, composed of Judges Erik Møse (Norway), presiding, Sergei Alekseevich Egorov (Russia), and Dennis C. M. Byron (St. Kitts and Nevis)

On 20 September 2004 the trial involving four senior military officers commenced before Trial Chambers II composed of Judges Joseph Asoka Nihal de Silva, Taghrid Hikmet and Seon Ki Park, The four accused are Major-General *Augustin Bizimungu*, the former Chief of Staff of the Rwandan Army; Major-General *Augustin Ndinilyimana*, the former Chief of Staff of the National Gendarmerie; Major *François-Xavier Nzuwonemeye*, the former Commander of the Reconnaissance Battalion; and his second-in-command, Captain *Innocent Sagahutu*.

They are charged with genocide, alternatively complicity in genocide, conspiracy to commit genocide, crimes against humanity (murder, extermination, rape, persecution, and other inhumane acts), and serious violations of Article 3 common to the Geneva Conventions and of Additional Protocol II.

On 20 September 2004 the trial of Father *Athanase Seromba* began before Trial Chamber III, comprising Judges *Andrésia Vaz*, *Karin Hökberg* and *Gberdao Gustave Kam*, *Seromba* is charged with genocide, alternatively complicity in genocide, conspiracy to commit genocide and crimes against humanity (extermination). The accused, who was the priest of Nyange parish in Kivumu commune in Kibuye prefec-

ture, is alleged to have supervised the massacres of thousands of Tutsi refugees, men, women and children, at the parish in April 1994, in execution of a plan to exterminate the Tutsi in Kivumu commune.

On 27 November 2003, the trial of four former senior officials in the interim government of Rwanda in 1994 started in the *Karemera et al*, case formerly known as the Government I case. The accused in the case are; the former President of the *Mouvement Révolutionnaire National pour le Développement* (MRND), *Mathieu Ngirumpatse*, his Vice-President, former Minister of Interior, *Edouard Karemera*, the Secretary General of MRND, *Joseph Nzirorera* who was also Speaker of the Transitional National Assembly, and *André Rwamakuba*, former Minister of Primary and Secondary Education. The trial is being heard by Trial Chamber III.

On 6 November 2003, the trial of *Bizimungu et al* formerly referred to as "Government II" opened before Trial Chamber II, composed of judges Asoka de Zoysa Gunawardana (presiding), Khalida Rachid Khan, and Lee Gacuiga Muthoga. The trial involves four former ministers who served in the Interim Government of Rwanda from April to July 1994; *Casimir Bizimungu* (Health); *Justin Mugenzi* (Trade and Industries); *Jérôme Bicamumpaka* (Foreign Affairs and Cooperation) and *Prosper Mugiraneza* (Civil Service). They are jointly accused of committing genocide and crimes against humanity.

Recent Arrests

On 5 May 2004, *Yusufu Munyakazi* was arrested in the Democratic Republic of Congo (DRC) on a warrant issued by the Tribunal on 10 November 2000. He was transferred to the Tribunal's Detention on 7 May 2004 and on 12 May 2004 he pleaded not guilty to two counts charging him with genocide or alternatively complicity in genocide, and crimes against humanity (extermination).

On 16 July 2004 accused *Gaspard Kanyarukiga*, a former businessman in Rwanda was arrested in the Republic of South Africa. On 19 July 2004 he was handed over to the ICTR. On 20 July 2004 the accused plead not guilty to all four counts in an indictment charging him with genocide, complicity in genocide, conspiracy to commit genocide and extermination as a crime against humanity.

President and Prosecutor Update Security Council on Completion Strategy

On 29 June 2004, the ICTR President and Prosecutor reported to the UN Security Council that the Tribunal is on schedule to finish its trials by 2008 as required by Security

Council Resolution 1503. President Erik Møse and Prosecutor Hassan B. Jallow outlined the reforms undertaken by the ICTR to accomplish its mandate.

President Møse informed the Council that the Tribunal is on schedule. Judgements involving 22 accused have been rendered. By the end of 2004, cases involving 48 accused will be completed or in progress.



President Erik Møse

In the course of 2005 and 2006, the Tribunal expects to have completed all cases involving the 27 accused on trial in 2004. The Tribunal has reduced the number of days required to hear single accused cases. Priority will also be given to complete the five remaining multi-accused trials involving a total of 22 accused. Measures taken to expedite trials include an increased number of ad litem judges, the creation of a Trial Committee to ensure that cases are ready for trial, and the hearing of trials in morning and afternoon shifts. There are plans to construct a fourth courtroom.



Prosecutor Jallow

Prosecutor Jallow reiterated his intention to focus his investigations on the persons most responsible for the atrocities committed in 1994. Middle and lower-rank persons will be transferred to national jurisdictions, including Rwanda. He intends to transfer five of the present detainees to national jurisdictions, as well as at least four indictees at large, when they are apprehended. Cases will only be

transferred to national jurisdictions where the accused will receive a fair trial with due process. He also announced a revised indictment policy which will avoid excessive number of charges. The Prosecutor will also ensure that cases are ready for trial immediately on confirmation of indictments. The process for selecting witnesses will be streamlined and their number limited in order to expedite the trials.

Both the President and the Prosecutor stressed the importance of maintaining the present level of resources for the ICTR. The delay of some States to pay their contributions could have serious consequences for the Completion Strategy. They also emphasized the need for States to continue their cooperation with the Tribunal, in particular to apprehend fugitives and facilitate the travel of witnesses to Arusha.

The meeting of the Security Council was a follow up of Resolution 1534, according to which the ICTR and ICTY Presidents and Prosecutors shall report every six months on the progress made towards the implementation of the Completion Strategies of the two Tribunals. According to Resolution 1503, investigations shall be finished by 2004, trials by 2008, and appeals by 2010. Appeals Chamber President Theodor Meron and Prosecutor Carla del Ponte represented the ICTY at the Security Council meeting.



Completion Strategy

In July 2003, the ICTR submitted its Completion Strategy to the United Nations Headquarters. An updated and revised version was submitted to the Security Council on 29 September 2003 (S/2003/946) in connection with the Tribunal's request to increase the number of ad litem judges from four to nine. The Completion Strategy took into account Security Council Resolution 1503, adopted on 28 August 2003, which urged the ICTR and the ICTY to complete all investigations by 2004, all trials by 2008, and all appeals by 2010. Another important element of the resolution was the establishment of a separate Prosecutor for the ICTR. According to Security Council resolution 1534 (2004), the ICTR and the ICTY Presidents and Prosecutors shall provide assessments every six months of the progress made towards the implementation of the two Tribunals' Completion Strategies. The latest version of the Completion Strategy, dated 26 April 2004 is available on the Tribunal's web-site.

Given these time limits, it is necessary for the current workload to be reviewed in order to determine what can reasonably be included and to retain flexibility in the completion strategy. In conformity with Security Council resolution 1503, the ICTR will conclude new investigations – without prejudice to investigations for trial support in ongoing cases – by the end of 2004. The focus of the Prosecution strategy is to concentrate on the prosecution of those persons who bear the greatest responsibility for the tragic events which occurred in Rwanda. Greater attention will be devoted to process those cases, including the apprehension of fugitives falling within this category.

Negotiations will be conducted with states for the transfer to them of cases which, although not falling within the leadership category, still bear enough importance to be tried. Transfers will be effected on the basis of guarantees of a fair trial in accordance with United Nations standards.

Where there are indications that the evidence is weak or the law does not support prosecution or for some reason the target is beyond the reach of the ICTR (e.g. by reason of death) those cases will not be pursued.

Indictment and apprehension of suspects and accused are only within the partial, not total, control of the Tribunal.

Indictments are based on evidence, resulting from investigations carried out by the Office of the Prosecutor (OTP). The cooperation of states, particularly Rwanda, is indispensable for access to witnesses and material evidence. Whilst the OTP, through its tracking team, has deployed substantial efforts in the location of fugitives, their apprehension and transfer to the Tribunal rests on the willingness of states to comply with their legal obligations in this respect. There are still high level indictees at large. Moreover, additional indictments may be issued by the conclusion of investigations. The ICTR will continue to appeal to all UN member states to live up to their legal obligations to apprehend and transfer accused persons to the Tribunal.

ICTR Delegation Attends Third Ordinary Session of the Assembly of the African Union

A two-member delegation composed of the Prosecutor, Mr. Hassan Boubacar Jallow, and the Chief of External Relations and Strategic Planning, Mr. Roland Amoussouga, on 4 to 10 July 2004, attended the Third Ordinary Session of the Assembly of the African Union in Addis Ababa, Ethiopia.

During the mission, the delegation took time to discuss the challenges of the ICTR's completion strategy and the discharge of its mandate. It also sought support in the apprehension of the remaining fugitives, who are still at large in specific countries in Africa, and their subsequent transfer into the ICTR's custody at the UNDF in Arusha.

The delegation also explored the possibility of African countries agreeing to receive cases under investigation and the transfer of accused persons to their jurisdiction for the purpose of trying them as part of the ICTR completion strategy which is in compliance with the Security Council's Resolution 1503 of 28 August 2003.

It also explored the possibility of establishing active and strategic partnerships with various institutions by liaising with senior representatives of African governments and UN specialized agencies with a view to building a wide network of support for ICTR operations.

The delegation took advantage of the visit to provide in-depth briefings on the status of ICTR achievements and challenges to both the African government representatives and the members of the international press corps covering the summit.

Mr. Amoussouga said that the delegation also sensitized African political leadership on the difficult financial situation of the ICTR, resulting from delays in making their financial contributions to the assessed budget of the ICTR. He outlined the negative impact of this delay on current operations, such as the freeze on recruitment of necessary staff, as well as the implementation of financial austerity measures.

The delegation also sensitized African states with respect to their commitment to support ICTR's operations through their financial contributions to the assessed budget of the ICTR, and solicited their timely cooperation in all phases of the ICTR operations.

Joint Statement on Discussions on the Enforcement of ICTR Sentences in Rwanda

From 20 to 23 September 2004, a delegation of senior Rwandan government officials led by Mr. Martin Ngoga, Deputy Prosecutor General, and a delegation of senior members of the ICTR Registry led by Mr.

Lovemore Munlo, Deputy Registrar, held fruitful discussions on practical modalities which prepared the ground for an agreement between the Government of Rwanda and the United Nations regarding enforcement of ICTR sentences in Rwanda.



Mr. Roland Amoussouga
and Mr. Martin Ngoga

Pursuant to Article 26 of the Statute of the International Criminal Tribunal for Rwanda (ICTR) adopted by Security Council Resolution 955 of 8 November 1994, ICTR sentences shall be served in Rwanda or in any of the States on a list of States which have indicated to the Security Council their willingness to accept ICTR convicted persons. The ICTR and the Government of Rwanda began discussions in May 2004 on possible enforcement of ICTR sentences in Rwanda.

The discussions in Arusha have enabled the two delegations to further review practical steps that the Tribunal has already taken in this process by way of prior consultation with the Office of Legal Affairs of the United Nations in New York as well as the ICTR proposal regarding alterations to be made to the newly built MPANGA prison facility, which was identified as the facility for the enforcement of ICTR sentences in Rwanda.

Both delegations examined a model of the standard provisions of Agreement on Enforcement of ICTR Sentences, which the United Nations has in the past signed with African countries. The standard provisions outline the terms and conditions under which a formal agreement could later be signed following clearance and approval of the Office of Legal Affairs of the United Nations in New York in conformity with the UN standard practice.

During the visit, the Rwandan delegation paid a courtesy call on the ICTR President and held meeting with the ICTR Prosecutor. The Rwandan delegation was received in audience by the Registrar. The Head of Rwandan prisons also visited the detention facility operated by the ICTR.

Through a renewed spirit of cooperation between the Government of Rwanda and the ICTR, the Arusha discussions represent an important milestone in their relationship. The Rwandan delegation reiterates its sincere hope that the conclusion of an agreement on enforcement of ICTR sentences in Rwanda will go a long way in contributing to unity and national reconciliation.

ICTR Launches Staff Outreach Support (SOS) Programme

The Registrar of the ICTR on 29 September presided over a colourful launch ceremony of the Staff Outreach Support (SOS) Programme in Arusha which was transmitted via video link to Kigali.



Mr. Dieng addressing the recipients of the SOS award

The Staff Outreach Support Programme (SOS) trains UN staff to be a source of confidential help for their colleagues in order to address personal or professional problems before they become acute. During the launch 50 staff members were awarded with certificates for successfully participating in a five day workshop during which they were trained to listen carefully, clarify issues, provide feedback, and assist in identifying options for resolving colleagues' problems.

The training was conducted by Ms Ruth Sembajwe, Staff Counsellor, in the Office of Human Resources Management (OHRM) at the UN Headquarters and Ms. Judy Tindall, a consulting psychologist based in New York.

In his speech, Registrar Adama Dieng noted that the SOS programme was more relevant today than ever before particularly due to the current emphasis on staff security and welfare, and the current global caution on security. He also urged all Programme Managers to give their full support to this initiative and to promote its awareness by inviting the focal points and the SOS providers in their respective divisions and sections occasionally for briefs. He also thanked the SOS providers for volunteering to undertake the task of helping others.

The Registrar added that the Staff Outreach Support (SOS) program is part of the Secretary-General's human resources management reform initiative. The Staff Outreach Support Programme at the UN Headquarters was launched on 12 February 2004 by Ms. Rosemary McCreery the Assistant Secretary-General for Human Resources.

The Registrar also launched the SOS database that will be used by SOS providers and programme managers in planning for SOS activities, including providing feedback on monthly meetings and training. In addition, it will be a useful tool for monitoring expenditure, reporting and in analysing lessons learned in order to identify best practices for the programme.

The ICTR SOS programme will be coordinated by three focal points in Arusha i.e. Mr. Jean-Pelé Fomété, Ms. Annabelle Borg and Mr. Jovenales Njuguna, while in Kigali the focal point will be Ms. Ingrid Phillip-Bristol.



Cross section of staff who received SOS certificates

Proposed Project for HIV Treatment



Elsie Effange-Mbella

On 23 September 2004, Elsie Effange-Mbella, the ICTR Gender Advisor, defended a project to improve access to anti-retroviral drug treatment and psychological counseling for Tribunal witnesses with HIV/AIDS. The project proposal calls for four years of funding at an estimated cost of \$2,237,089.

About 220 cases of HIV/AIDS infected persons are believed to be among Tribunal witnesses and potential witnesses out of the 2000 target groups. About 29 witnesses have been identified as HIV positive and are receiving treatment.

From June 2003 to July 2004, the ICTR spent \$105,541.28 to treat witnesses with HIV/AIDS and other related diseases. This amount was spent on confirmed cases of HIV/AIDS among witnesses, most of whom had already given evidence.

ICTR plans to access support from UN agencies and the Rwandan Ministry of Health in order to adopt a systematic healthcare approach related to witnesses' physical conditions –HIV/AIDS, malaria and other diseases that are prevalent in Rwanda. ICTR has already approached UNAIDS and WHO for drug supplies within the framework of the project.

Activities under the proposed project include an information, education and communication campaign to encourage voluntary HIV testing, pre- and post-test counseling; the management of opportunistic infections, anti-retroviral treatment as well as clinical and biological monitoring of patients; psychological care and social support services for witnesses; and psychological counseling and training in trauma management for ICTR frontline staff in contact with witnesses and other relevant partners.

The goals of the project are to improve the health and psychological status of witnesses and therefore improve the quality of testimony from them as well as to reduce death rates among ICTR witnesses and to promote a greater willingness of those with HIV/AIDS to testify.

The training programs will also aim at enhancing gender sensitivity in the judicial processes at the national and international levels by building capacity for more gender sensitivity during investigations and questioning of witnesses with HIV/AIDS, particularly victims of rape and sexual assault.

ICTR has currently a team of two medical officers (psychologist/ gynecologist) and one nurse/psychologist who are providing in-house counseling, psychological and medical care to all the witnesses known to the Registry. They also ensure post trial follow up on those who have already testified.

The HDR 2004: Cultural Liberties in Today's Diverse World

A meeting on The Human Development Report 2004, hosted by the ICTR and funded by UNDP, was convened by the African Futures Institute from the 18th to the 19th September 2004.

In his welcoming remarks, the UN Assistant Secretary General and Registrar of the ICTR, Mr Adama Dieng, highlighted the importance of culture in the process of human development and its critical nature to Africa. He observed further that it is necessary for there to emerge an African perspective of human development mediated through culture or which takes into cognisance the role of culture. He noted too the role of legal experts in the development process particularly in articulating issues of human rights and access to justice for people.

Mrs Scholastica Kimaryo, UNDP Resident Representative to Lesotho, provided an overview of the key messages of the HDR 2004, noting among other things that whilst democracy has been enhanced by adopting multi-culturalism, it also posed a challenge for cultural liberties particularly the expression of multiple cultural identities by citizenry.

A key observation in the meeting was the need to define Africa's vision or visions for the future. This was critical for the process of delivering on the principles advanced in the HDR 2004 which is particularly relevant to Africa in its pursuit of development and peace. The role of ethnicity and culture has been seen as key in the fostering of conflicts on the continent and it was important that debates on this subject identified some of the strategic advantages for pursuing development agendas informed by cultural rights and cultural liberty for the future.

The outcome of the meeting was to be used as part of the debate on the broader subject of Africa in the 21st Century at the occasion of the Conference of Intellectuals of Africa and the Diaspora which was to be held in Dakar, Senegal from the 6th to 9th October 2004 under the aegis of the African Union.



UNDP Delegation from South Africa visits the ICTR



Rwandese Students on ICTR - Sponsored Research Fellowship

Six law students from the National University of Rwanda arrived at the ICTR on 20 September 2004 for an eight week research programme sponsored by the Tribunal. The fellowship research programme is organised every year as part of the Tribunal's outreach programme in Rwanda.



Fellowship students from left to right: Theoneste Asiimwe, Fred Byabagabo, Alphonse Mulefu, Peter Nzeyumuremyi, Innocent Nzanzimaia,

