UNAMIR

INTERNATIONAL TRIBUNAL FOR RWANDA

13 APR - 29 AUG 1995

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DATE: 29 August 1995

TO: KHAN UNAMIR Kigali	FROM: ANNAN for DPKO New York
FAX NO: 3-3090	FAX NO: (212) 963-4879 ROOM S-3720
SUBJECT: International Tribunal for Rwanda	

TOTAL NUMBER OF TRANSMITTED PAGES INCLUDING THIS PAGE: 9

Please find attached, for your information, copy of the Third Report of the Secretary-General pursuant to paragraph of Security Council resolution 995 (1994), which deals with the arrangements concerning the seat, premises and financing of the International Tribunal for Rwanda. The report, dated 25 August 1995, was issued today as document S/1995/741. Regards.

RECEIVED
30 AUG 1995
OFFICE OF THE SRSG
UNAMIR

UNITED NATIONS

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Security Council

Distr.
GENERAL

S/1995/741
25 August 1995

ORIGINAL: ENGLISH

THIRD REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 5 OF SECURITY COUNCIL RESOLUTION 955 (1994)

I. INTRODUCTION

1. In paragraph 5 of resolution 955 (1994) of 8 November 1994, I was asked to report periodically to the Security Council on the implementation of the resolution establishing the International Tribunal for Rwanda. In my first report on 13 February 1995 (S/1995/134), I informed the Council of the steps envisaged for the practical implementation of the resolution and made my recommendation that Arusha, United Republic of Tanzania, should be selected as the seat of the Tribunal. In my second report on 30 June 1995 (S/1995/533), I provided updated information regarding the arrangements made for the seat of the Tribunal at Arusha, and set out the status as regards the financing of the Tribunal. In the present report, it is my intention to brief the Council on the progress made regarding the practical and legal arrangements for the seat of the Tribunal, its financing, the status of contributions in funds and personnel and the activities of its various organs.

II. ARRANGEMENTS CONCERNING THE SEAT AND PREMISES OF THE TRIBUNAL

2. As indicated in my last report (S/1995/533), a number of issues remained to be resolved in the headquarters agreement for the seat of the Tribunal between the United Nations and the Government of the United Republic of Tanzania. Following discussions held in New York between the Office of Legal Affairs of the Secretariat and the Permanent Representative of the United Republic of Tanzania to the United Nations, the parties are considering including in a side exchange of letters their understanding regarding the interpretation and implementation of certain provisions of the agreement. Pending a final reaction from the Government of the United Republic of Tanzania, it is expected that the headquarters agreement between the United Nations and the Government will be signed shortly.

3. Given the institutional links between the International Tribunal for Rwanda and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory

of the Former Yugoslavia since 1991 (i.e., a common Appeals Chamber and a common Prosecutor), it is envisaged that certain activities and proceedings of the Rwanda Tribunal will be undertaken at The Hague from time to time. In order to facilitate such activities and proceedings of the Tribunal, a draft exchange of letters has been submitted to the Netherlands authorities whereby the pertinent provisions of the agreement between the United Nations and the Netherlands concerning the Yugoslav Tribunal were made applicable to activities and proceedings of the Rwanda Tribunal in the territory of the Netherlands. In that connection, there would be a small liaison office for the Rwanda Tribunal at The Hague, staffed by one Professional and one or two secretariat support staff. Occasionally, the Deputy Prosecutor would also visit The Hague for consultations, together with collaborators from Kigali, as appropriate. Otherwise, I have jointly with the Prosecutor taken the position that investigations should be conducted from the Prosecutor's office at Kigali and at Arusha, when the latter becomes operational.

4. In order to speed up the conclusion of the lease arrangements for the premises of the Tribunal and the necessary reconstruction works at the Arusha International Conference Centre, a task force has been established to oversee the lease arrangements and the processes of contracting, reconstruction and procurement. The phased-in approach adopted to the establishment of the Tribunal would enable it to commence its operation later in 1995.

III. FINANCING

5. In its resolution 49/251 of 20 July 1995, the General Assembly established the mode of financing of the Tribunal. The Assembly adopted a $13.5 million budget for the Tribunal for the period ending 31 October 1995, and as an ad hoc and exceptional arrangement, decided to split the $13.5 million between the regular budget and the peace-keeping special account assessment. It also specifically authorized me to make the necessary arrangements, including the signing of a lease agreement and construction contracts for the premises of the Tribunal and granting of contracts of up to 12 months for its staff, to ensure that it is provided with adequate facilities and necessary staff resources. With the approval of the budget by the General Assembly in July 1995, the Tribunal has now a sound financial basis that will enable it to enter into long-term financial and other commitments, including construction works and recruitment of staff.

6. In addition to the funds available in the budget, a total amount of $6.3 million worth of cash contributions and pledges is now available in the Voluntary Fund to Support the Activities of the Tribunal.

7. As for contributions in kind, certain countries have donated the services of qualified personnel to the Tribunal to assist in the work of the Prosecutor or the Registrar, as the case may be. An agreement for the contribution of personnel to the Tribunal has been signed with the United Kingdom of Great Britain and Northern Ireland. Similar agreements are currently being negotiated with Canada, Denmark, the Netherlands, Norway, Switzerland and the United States of America and with one non-governmental organization.

IV. THE TRIBUNAL

A. The judges

8. On 30 June 1995, the judges of the Tribunal adopted the rules of procedure and evidence in accordance with article 14 of the Statute. Judges were assigned to the two Trial Chambers and a list of assignment of judges for review of indictments for the months of October to December 1995 was established. Having thus completed the agenda of their first meeting, the judges are now prepared to serve on the Tribunal on short notice as soon as the first indictment is presented.

B. The Registry

9. I am currently consulting with the President of the Tribunal in accordance with article 16 of the Statute in order to be able to appoint the Registrar. It is my hope that the Registrar can be appointed within the next few days.

C. Staffing of the Tribunal

10. With respect to staffing, the situation is currently as follows. A total of 18 Professional staff are working for the Tribunal, including the Prosecutor in The Hague. The Office of the Prosecutor at Kigali is staffed by the Deputy Prosecutor and 10 Investigators/Legal Officers. In addition, the Liaison Officer attached to the Prosecutor's Office at The Hague frequently travels to Kigali in the performance of his functions. Seven investigators are personnel contributed by Member States. The Administrative Office of the Registry is staffed by an Acting Chief of Administration, a Procurement Officer and two Administrative Assistants. It should be noted that seven additional candidates have accepted offers of appointments and will travel to Kigali as soon as they are medically cleared and their travel documents processed, and that offers of appointments will be sent to another nine candidates in the next few days. Additionally, approximately 40 personnel contributed by Member States are expected to arrive during the next three months.

D. Ongoing investigations

11. As far as the ongoing investigations are concerned, the Prosecutor has informed me that in view of the current staffing levels, present inquiries centre around a small number of individuals who are suspected of being principally responsible for the planning, incitement or commission of crimes. The investigators are assessing and analysing a large volume of material that has been collected by the Tribunal and other bodies during the past months. Additionally, witnesses are being interviewed on the African, European and North American continents. Pending the full development of the Arusha site with air-conditioned facilities for the computer equipment, the Prosecutor has indicated that in order to continue to meet his goal of the first indictments being issued later in 1995, a small Documents Processing Centre, using the premises identified above, will be established on a temporary basis at

The Hague. The Prosecutor has informed me that neither his own investigations nor the information made available to him by the Rwandan authorities have so far served to identify suspects appropriate for investigation by him amongst persons currently being held in Rwandan prisons. The first indictments are still expected before the end of 1995.

12. Next week the President of the Tribunal and the Prosecutor will travel together to Kigali and Arusha. They will meet with representatives of the Government of Rwanda, with my Special Representative there and with the Deputy Prosecutor to discuss various questions concerning the establishment of the Tribunal. They will also consult among themselves on the work programme for investigations, the preparation of indictments and the holding of trials. At Arusha, they will meet with representatives of the International Conference Centre and see the premises to be used by the Tribunal.

NATIONS UNIES

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Conseil de sécurité

Distr.
GÉNÉRALE

S/1995/741
25 août 1995
FRANÇAIS
ORIGINAL : ANGLAIS

TROISIÈME RAPPORT PRÉSENTÉ PAR LE SECRÉTAIRE GÉNÉRAL EN APPLICATION DU PARAGRAPHE 5 DE LA RÉSOLUTION 955 (1994) DU CONSEIL DE SÉCURITÉ

I. INTRODUCTION

1. Au paragraphe 5 de sa résolution 955 (1994) du 8 novembre 1994, le Conseil de sécurité m'a prié de lui présenter des rapports périodiques sur la mise en oeuvre de la résolution portant création du Tribunal international pour le Rwanda. Dans mon premier rapport daté du 13 février 1995 (S/1995/134), j'ai informé le Conseil des mesures envisagées pour l'application concrète de la résolution et recommandé de choisir Arusha (République-Unie de Tanzanie) comme siège du Tribunal. Dans mon deuxième rapport daté du 30 juin 1995 (S/1995/533), j'ai fourni des renseignements à jour sur les arrangements concernant le siège du Tribunal à Arusha, et dressé le bilan du financement du Tribunal. Dans le présent rapport, je compte informer le Conseil de ce qui a été fait sur le plan pratique et juridique concernant le siège du Tribunal, son financement, l'état des contributions (ressources financières et humaines) et les activités de ses différents organes.

II. ARRANGEMENTS CONCERNANT LE SIÈGE ET LES LOCAUX DU TRIBUNAL

2. Comme je l'indiquais dans mon rapport précédent (S/1995/533), un certain nombre de questions restaient à résoudre concernant l'accord de siège à conclure entre l'Organisation et le Gouvernement tanzanien. Suite aux consultations qui ont eu lieu à New York entre des fonctionnaires du Bureau des affaires juridiques du Secrétariat et le Représentant permanent de la République-Unie de Tanzanie auprès de l'Organisation des Nations Unies, les parties envisagent de consigner dans un échange de lettres ce dont elles sont convenues concernant l'interprétation et l'application de certaines dispositions de l'accord. L'accord de siège entre l'Organisation et le Gouvernement tanzanien devrait être signé prochainement, dès que celui-ci aura communiqué sa décision finale.

3. Étant donné les liens institutionnels existant entre le Tribunal international pour le Rwanda et le Tribunal international pour l'ex-Yougoslavie (ces deux instances ont en commun la Chambre d'appel et le Procureur), certaines activités et procédures du Tribunal pour le Rwanda devraient se dérouler occasionnellement à La Haye. Afin de faciliter lesdites activités et procédures, un projet d'échange de lettres a été présenté aux autorités

néerlandaises, en vertu duquel les dispositions pertinentes de l'accord de siège entre l'Organisation et les Pays-Bas concernant le Tribunal pour la Yougoslavie ont été étendues aux activités et procédures du Tribunal pour le Rwanda sur le territoire néerlandais. Dans ce cadre, il est prévu de mettre en place un bureau de liaison du Tribunal pour le Rwanda à La Haye, dont l'effectif consisterait en un administrateur, assisté d'un ou deux secrétaires. Le Procureur adjoint et, le cas échéant, certains de ses collaborateurs de Kigali, seront appelés à se rendre de temps en temps à La Haye pour des consultations. Pour le reste, j'ai décidé, en accord avec le Procureur, que les enquêtes seraient menées à partir du Bureau du Procureur à Kigali et dès que les locaux du Tribunal seront opérationnels, à partir d'Arusha.

4. Afin d'accélérer la définition des modalités de location des locaux du Tribunal et l'achèvement des travaux de reconstruction à mener au Centre de conférences international d'Arusha, un groupe spécial a été créé pour superviser les modalités de location ainsi que les procédures de sous-traitance, les travaux de reconstruction et les achats. Comme le Tribunal sera établi progressivement, il devra commencer à fonctionner dans le courant de 1995.

III. FINANCEMENT

5. Dans sa résolution 49/251 du 20 juillet 1995, l'Assemblée générale a arrêté le mode de financement du Tribunal. Pour la période s'achevant au 31 octobre 1995, elle a adopté un budget de 13,5 millions de dollars, cette somme étant répartie à titre d'arrangement spécial et exceptionnel entre le budget ordinaire et le compte spécial des opérations de maintien de la paix. Par ailleurs, elle m'a expressément autorisé à prendre les dispositions nécessaires, notamment à signer un contrat de location des locaux du Tribunal et de contrats relatifs aux travaux à y effectuer, et à offrir au personnel des contrats pour des périodes pouvant atteindre 12 mois, pour que le Tribunal dispose des locaux et des ressources en personnel nécessaires. L'Assemblée générale ayant approuvé le budget en juillet 1995, le Tribunal est à présent doté d'une base financière solide qui lui permettra de prendre des engagements financiers et autres à long terme, s'agissant notamment de travaux de construction et de recrutement du personnel.

6. En sus des crédits budgétaires, le Fonds de contributions volontaires à l'appui des activités du Tribunal a reçu en espèces un montant de 6,3 millions de dollars sous la forme de contributions versées ou annoncées.

7. En ce qui concerne les contributions en nature, certains pays ont mis gratuitement à la disposition du Tribunal les services d'un personnel qualifié qui épaulera le procureur ou le greffier, selon le cas. Un accord concernant la fourniture de personnel au Tribunal a été signé avec le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord. Des accords similaires sont en cours de négociation avec le Canada, le Danemark, les États-Unis d'Amérique, la Norvège, les Pays-Bas et la Suisse, ainsi qu'avec une organisation non gouvernementale.

IV. LE TRIBUNAL

A. Les juges

8. Le 30 juin 1995, les juges ont adopté le règlement du Tribunal, comme le prévoit l'article 14 du statut. Les juges des deux chambres de première instance ont été désignés et la liste des juges qui seront chargés d'examiner les actes d'accusation d'octobre à décembre 1995 a été établie. S'étant ainsi acquitté des tâches prévues pour la première réunion, les juges sont désormais à même de siéger au Tribunal dès que leur sera présenté le premier acte d'accusation.

B. Le Greffe

9. Conformément à l'article 16 du statut, je suis actuellement en consultation avec le Président du Tribunal en vue de nommer un greffier. J'ai l'espoir de pouvoir désigner le greffier du Tribunal dans les tout prochains jours.

C. Personnel du Tribunal

10. En ce qui concerne le personnel, la situation est la suivante : au total, 18 administrateurs, dont le Procureur à La Haye, travaillent actuellement pour le Tribunal. Le Bureau du Procureur à Kigali se compose du Procureur adjoint et de 10 enquêteurs/juristes. De plus, l'attaché de liaison du Bureau du Procureur à La Haye se rend fréquemment à Kigali dans l'exercice de ses fonctions. Sept enquêteurs ont été mis à la disposition du Tribunal par les États Membres. Le Service administratif du Greffe est doté d'un chef adjoint de l'administration, d'un fonctionnaire chargé des achats et de deux assistants administratifs. Il convient de noter que sept candidats supplémentaires, qui ont déjà accepté leur nomination, se rendront à Kigali dès qu'ils auront reçu leur certificat médical d'aptitude physique et que leurs documents de voyage seront prêts; par ailleurs, des offres d'emploi seront adressées à neuf autres candidats dans les prochains jours. De plus, une quarantaine de personnes qui ont été mises à la disposition du Tribunal par les États Membres devraient se rendre à Kigali au cours des trois prochains mois.

D. Enquêtes en cours

11. En ce qui concerne les enquêtes en cours, le Procureur m'a fait savoir qu'étant donné l'effectif réduit dont il disposait, les enquêtes en cours ne portaient que sur un petit nombre d'individus soupçonnés d'avoir planifié, fomenté ou commis des crimes au Rwanda. Les enquêteurs examinent actuellement la masse de documents que le Tribunal et d'autres organes ont recueillis au cours des derniers mois. De plus, on interroge des témoins en Afrique, en Europe et en Amérique du Nord. En attendant que les locaux d'Arusha soient équipés de climatiseurs pour le matériel informatique, le Procureur a indiqué qu'un petit centre de traitement des documents serait mis en place temporairement à La Haye, afin que les premiers actes d'accusation puissent être dressés avant la fin de l'année. Le Procureur m'a fait savoir que, jusqu'à présent, ni les enquêtes menées par ses services ni les renseignements communiqués par les autorités rwandaises ne lui avaient permis d'identifier des

suspects qui relèveraient de sa compétence parmi les personnes qui sont actuellement détenues au Rwanda. Les premiers actes d'accusation devraient quand même être dressés d'ici à la fin de 1995.

12. La semaine prochaine, le Président du Tribunal et le Procureur se rendront ensemble à Kigali et à Arusha. Ils rencontreront des représentants du Gouvernement rwandais, ainsi que mon Représentant spécial au Rwanda et le Procureur adjoint pour s'entretenir de diverses questions concernant la création du Tribunal. Ils se consulteront également sur le déroulement du travail d'enquête, l'élaboration des actes d'accusation et l'organisation des procès. À Arusha, ils rencontreront des représentants du Centre international de conférences et visiteront les locaux qui abriteront le Tribunal.

UNITED NATIONS NATIONS UNIES
ASSISTANCE MISSION FOR RWANDA MISSION POUR L'ASSISTANCE AU RWANDA
UNAMIR - MINUAR

NOTE FOR THE FILE

On 8 August 1995, the Force Commander held a meeting with the Prosecutor for the International Tribunal for Rwanda, Justice Richard Goldstone, at UNAMIR headquarters. Also attending the meeting were the Deputy Prosecutor, Mr. Honoré Rakotomanana and the Tribunal's spokesman in Kigali, Mr. Alain Sigue, as well as the Political/Legal Officer for UNAMIR.

Judge Goldstone confided to the Force Commander the following reasons for his visit:

(a) the need for the Tribunal's investigators to interview witnesses currently held in Rwandese prisons;

(b) the Secretary-General's recently expressed desire to indict suspects now imprisoned in Rwanda as soon as possible (despite the fact that Judge Goldstone did not believe that suspects presently detained in Rwanda merited the attention of the Tribunal); and

(c) the proposed visit of the Tribunal's President to Rwanda at the end of this month (which he did not want publicised until he had obtained the approval of the Rwandese Government).

Judge Goldstone stated that he still hoped the first indictments would be issued before the end of the year, and that he shared the Secretary-General's feeling that this should take place in Africa, rather than Europe. He added that despite the Secretary-General's expressed desire to hold the trials in Kigali pending the rehabilitation of the Tribunal's premises in Arusha, he himself was reluctant to accede to this request as he did not think it would be possible to hold fair trials in Kigali, even if this were operationally feasible.

The Force Commander expressed his personal view that it would not be realistic to hold trials in Kigali pending the completion of the premises in Arusha, although he admitted that this would serve the purpose of seeing justice done. He stated that there was no law and order in Rwanda outside the military's presence, and that those acquitted of the charges pending against them may not be allowed to leave the country. He was also concerned about the starting date of the Tribunal's operations since, to his knowledge, nothing was being done in Arusha despite his understanding that extensive work was required there.

In response, Judge Goldstone proposed that, as an alternative solution, a temporary court could be erected until a permanent structure was established in Arusha.

With regard to security considerations, the Force Commander emphasised the need for a witness protection programme (he mentioned that he has already sent a cable on this matter to New York in September 1994). He underlined the need to obtain written guarantees from the Rwandese Minister of Defence should witnesses need to be flown out of the country. Judge Goldstone also considered it indispensable to have such written guarantees, and stated that the full cooperation of the Rwandese Government was needed with regard to the provision of witnesses for the Tribunal's proceedings.

The Force Commander agreed that none of the main instigators of the genocide were now in Rwanda. He also cautioned that in the eyes of the Rwandese Government, the Tribunal lacked credibility in bringing these people to justice due to the prolonged delays which had resulted in a certain loss of faith on the part of the local population. He further advised Judge Goldstone that UNAMIR formed troops may no longer be in Rwanda by the end of this year to provide the necessary protection for the Tribunal's operations, to which Judge Goldstone replied that it would not be possible for the Tribunal to operate in Rwanda without proper protection for its staff and premises. He added that most Governments would be unwilling to allow their nationals to work for the Tribunal in the absence of adequate security arrangements. Both agreed that this issue should be raised with the Secretary-General in New York.

Judge Goldstone also mentioned the futility of making large commitments of resources in Rwanda if its staff were forced to leave by December. He reiterated that he could not put his staff at risk under any circumstances. He further stated that if people are acquitted by the Tribunal, this could result in an increased security risk to his staff, especially the Deputy Prosecutor. He added that he would discuss the matter on his return visit to Kigali at the end of August, but that, in his opinion, the absence of an office in Kigali would not prevent the Tribunal from performing its functions (as evidenced by the location of the International Tribunal for the former Yugoslavia outside the territory covered). He stated that the decision to have an office in Kigali was a political, not operational decision, and that it could be established elsewhere in Africa.

The Force Commander agreed that the Tribunal's offices should be in Africa. He advised that, in his personal opinion, the Tribunal should bring the absolute minimum amount of infrastructure to Kigali, and that it should operate on the assumption that it would receive the least amount of cooperation from the Government of Rwanda. He added that the infrastructure in Kigali was inadequate to support the Tribunal's operations, and that there was no political will to facilitate matters. He concluded by stating that based upon UNAMIR's experience during the past six months, it has become increasingly difficult to obtain the Rwandese Government's cooperation (e.g. with regard to access to sites and infrastructural support), thereby rendering the United Nations effort in the country less effective.

Ladan M. Rafii
Political/Legal Officer
9 August 1995

cc: SRSG
FC
ED
International Tribunal for Rwanda

UNITED NATIONS NATIONS UNIES

INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

TRIBUNAL PENAL INTERNATIONAL POUR LE RWANDA

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Bureau du Procureur
Kigali

Communiqué de presse

Le Procureur Général Richard Goldstone s'est rendu, le 8 août 1995, pour une journée de travail à Kigali malgré les derniers développements en ex-Yougoslavie qui, à présent, retiennent également toute son attention.

Le budget du Tribunal Pénal International pour le Rwanda ayant récemment été voté par l'Assemblée Générale, le Procureur Général a voulu lui-même informer le Bureau de Kigali de l'arrivée prochaine de nouveaux collaborateurs afin d'accélérer - sous l'autorité du Juge Rakotomanana et sous la direction de M. Colin Port - les enquêtes en cours avec la plus grande efficacité. Les gouvernements des Pays-Bas, d'Allemagne, de la Suisse, du Royaume-Uni, du Danemark et des Etats-Unis ont détaché des spécialistes qui travailleront ensemble avec du personnel recruté par les Nations Unies.

Lors des entretiens avec des responsables rwandais, le Procureur Général Richard Goldstone a fait connaître son désir de rencontrer les hautes autorités du Rwanda vers la fin du mois d'août.

Le Procureur Général et son bureau sont conscients de l'immense et légitime attente que le peuple rwandais porte à l'égard du Tribunal. Toute l'équipe en place à Kigali se tiendra à l'échéance qu'elle s'est fixée. Le Procureur Général et son Bureau saisissent cette occasion pour remercier les gouvernements qui coopèrent et coopèreront pleinement avec le Tribunal Pénal International pour le Rwanda en exécution des résolutions 955 et 978 du Conseil de Sécurité, condition sine qua non lui permettant d'accomplir sa difficile et délicate mission.

NOTE TO EXECUTIVE DIRECTOR

SUBJECT: The Secretary-General's report of 30 June 1995 on the International Tribunal for Rwanda

As you have requested, the following are my comments with regard to the above-mentioned report on the International Tribunal for Rwanda:

1. I do not believe that certain aspects of the report are based upon unsubstantiated information. With regard to paragraph 4, it is true that the Tribunal staff encountered various difficulties in their efforts to establish an office in Kigali with the result that, until quite recently, they had no permanent presence here. Their budgetary problems also prevented them from making any concrete plans and recruiting qualified personnel on a long-term basis. They also encountered difficulties in obtaining secure premises for their office and accomodation for their staff. However, as mentioned in paragraph 6 of the report, these obstacles have to a great extent now been overcome (the general situation in Kigali has improved; certain key personnel can now be recruited; premises for both accomodation and office needs have been located and the space requirements of their office can be met).

   Consequently, it is expected that their office in Kigali will now rapidly expand in size with a combination of recruited and contributed personnel.

2. It appears that the most major impediment towards achieving greater and more effective progress in establishing the Tribunal is due to the fact that the General Assembly has not yet approved the Tribunal's budget. Budgetary approval for the Tribunal would greatly facilitate the operational development of the Tribunal; permit recruitment of personnel to take place on an accelerated basis; allow the necessary lease and other contractual commitments to be undertaken; and enable the planning of a work programme for investigation, the preparation of indictments and the holding of trials.

Ms Rafii
Phone discuss
17-7-95
WS

Ladan M. Rafii
16 July 1995

HR RB
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FILE

OFFICE OF LEGAL AFFAIRS

INTERNATIONAL TRIBUNAL FOR RWANDA

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FACSIMILE TRANSMISSION

DATE: 18 July 1995

TO: Judge Honoré Rakotomanana
Deputy Prosecutor
International Tribunal for Rwanda
Kigali, Rwanda

FAX NUMBER: 3.4001

FROM: for Hermann H. Gilli
Acting Chief of Administration
International Tribunal of Rwanda

FAX NUMBER: (212) 963-5847

TOTAL NUMBER OF PAGES (INCLUDING COVER PAGE): 9

SUBJECT: Please see attached.

MESSAGE:

The draft resolution will be presented to the General Assembly on Friday, 21 July 1995

Regards.

Gilli

UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/49/810/Add.3
18 July 1995
ENGLISH
ORIGINAL: ARABIC/ENGLISH

Forty-ninth session
Agenda item 146

FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

Report of the Fifth Committee (Part IV)

Rapporteur: Mr. Larbi DJACTA (Algeria)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 146 appear in the report of the Committee contained in documents A/49/810 and Add.1-2.

2. The Committee further considered the item at its 66th meeting, on 14 July 1995. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary record (A/C.5/49/SR.66).

3. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/C.5/49/42) and the report of the Advisory Committee on Administrative and Budgetary Questions (A/49/7/Add.12).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/49/L.66

4. At the 66th meeting, on 14 July, the representative of Austria introduced a draft resolution entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" (A/C.5/49/L.66), which was submitted by the Chairman on the basis of informal consultations.

5. Also at the same meeting, the Committee adopted draft resolution A/C.5/49/L.66 without a vote (see para. 7).

6. The Representative of New Zealand withdrew draft resolution A/C.5/49/L.44 which was considered at the same meeting.

III. RECOMMENDATION OF THE FIFTH COMMITTEE

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

(See text A/C.5/49/L.66 attached)

UN
N/ ..NS

GENERAL ASSEMBLY

Distr.
GENERAL

A/49/
18 July 1995

ENGLISH
ORIGINAL: ARABIC/ENGLISH

Forty-ninth session
Agenda item 163

FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Report of the Fifth Committee

Rapporteur: M. Larbi DJACTA (Algeria)

I. INTRODUCTION

1. At its 97th plenary meeting, on 28 February, the General Assembly decided, on the proposal of the Secretary-General (A/49/241, para. 2), to add the following item to the list of items allocated to the Fifth Committee:

"Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian

Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994"

2. At its 65th and 66th meetings on 12 and 14 July 1995, the Fifth Committee considered the report of the Secretary General on the financing of the International Tribunal for the prosecution of persons responsible for genocide and other serious violations of International Humanitarian Law committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States between 1 January and 31 December 1994 (A/C.5/49/68). The related report of the Advisory Committee on Administrative and Budgetary Questions was presented orally by its Chairman.

3. Statements and observations made in the course of the Committee's consideration of the items are reflected in the relevant summary records (A/C.5/49/SR. 65 and 66).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/49/L.67

4. At its 66th meeting, on 14 July 1995, the Chairman introduced draft resolution entitled "Financing of the International Tribunal for the prosecution of persons responsible for genocide and other serious violations of International Humanitarian Law committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States between 1 January and 31 December 1994", which was submitted on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft resolution A/C.5/49/L.67 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommended to the General Assembly the adoption of the following draft resolution:

Financing of the International Tribunal for the prosecution of persons responsible for genocide and other serious violations of International Humanitarian Law committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States between 1 January and 31 December 1994.

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General Assembly

PROVISIONAL

A/C.5/49/L.67
14 July 1995

ORIGINAL: ENGLISH

Forty-ninth session
FIFTH COMMITTEE
Agenda item 163

FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Draft resolution submitted by the Chairman following informal consultations

The General Assembly,

Having considered Security Council resolution 955 (1994) of 8 November 1994, on the establishment of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States between 1 January and 31 December 1994, in w :h the Council adopted the Statute of the International Tribunal for Rwanda,

Having also considered Security Council resolution 977 (1995) of 22 February 1995, in which the Council decided that, subject to the conclusion of appropriate arrangements between the United Nations and the Government of the United Republic of Tanzania, the International Tribunal for Rwanda should have its seat at Arusha,

Having further considered the report of the Secretary-General on the financing of the International Tribunal for Rwanda 1/ and the related observations and recommendations thereon presented by the Chairman of the Advisory Committee on Administrative and Budgetary Questions, 2/

Taking into account the views expressed by Member States in the Fifth Committee of the General Assembly,

1. Endorses the observations and recommendations of the Advisory Committee on Administrative and Budgetary Questions as presented by its Chairman, 2/, subject to the provisions of the present resolution;

2. Emphasizes the importance of assuring secure and stable financing of the International Tribunal for Rwanda so that it may fulfil its role in full and effectively;

3. Decides that the expenses of the Tribunal should be met through additional resources on the basis of assessed contributions and that they shall be financed through a separate special account outside the regular budget;

4. Decides also to appropriate to the Special Account for the International Tribunal for Rwanda a total amount of 13,467,300 United States dollars gross (12,914,900 dollars net) for the period to 31 October 1995, inclusive of the commitment authority of 2,914,900 dollars authorized by the Advisory Committee on Administrative and Budgetary Questions;

5. Decides further, as an ad hoc and exceptional arrangement, that, notwithstanding the provisions of paragraph 12 of General Assembly resolution 49/20 B of 12 July 1995, Member States will waive their respective shares in the credits arising from previous budgets of the United Nations Assistance Mission for Rwanda in the total amount of 6,733,650 dollars gross (6,457,450 dollars net) and hence accept an equivalent increase in the assessments for a future budget period of the Assistance Mission in an amount of 6,733,650 dollars gross (6,457,450 dollars net), to be transferred to the Special Account for the International Tribunal for Rwanda from the Special Account established for the United Nations Assistance Mission for Rwanda;

6. Decides to apportion 6,733,650 dollars gross (6,457,450 dollars net) for the period to 31 October 1995 among Member States in accordance with the scale of assessments for the year 1995 as set out in General Assembly resolution 49/19 B of 23 December 1994;

7. Decides also that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 6 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of

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1/ A/C.5/49/68.

2/ See A/C.5/49/SR.65.

$52,400 dollars approved for the International Tribunal for Rwanda for the period to 31 October 1995;

8. Decides further that appropriations for 1 November to 31 December 1995 and for the biennium 1996-1997 under the Special Account referred to in paragraph 3 above, the amount of which shall be determined during the regular fiftieth session of the General Assembly, shall be financed equally through the modes of financing referred to in paragraphs 5 and 6 above, again notwithstanding the provisions of paragraph 12 of General Assembly resolution 49/20 B;

9. Decides to consider the report of the Secretary-General 1/ further at its fiftieth session, together with updated information on the establishment of the International Tribunal for Rwanda and related requirements;

10. Requests the Secretary-General to submit to the General Assembly at its fiftieth session a report on requirements for the International Tribunal for Rwanda in the biennium 1996-1997;

11. Authorizes the Secretary-General to make the necessary arrangements, including the signing of a lease agreement and construction contracts for the premises of the International Tribunal for Rwanda and granting of contracts of up to twelve months for its staff, to ensure that it is provided with adequate facilities and necessary staff resources, and to report to the General Assembly thereon;

12. Welcomes contributions already made to the Voluntary Fund to support the activities of the International Tribunal for Rwanda established by Security Council resolution 955 (1994) and invites Member States and other interested parties to make voluntary contributions to the International Tribunal both in cash and in the form of services and supplies acceptable to the Secretary-General;

13. Decides to review the mode of financing of the International Tribunal for Rwanda at its fifty-second regular session;

14. Requests the Secretary-General to submit a performance report at the end of each biennium, no later than May 1996 and May 1998, respectively;

15. Decides to include in the draft agenda of its fiftieth session the item entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States between 1 January and 31 December 1994".

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UNITED NATIONS NATIONS UNIES

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA, BETWEEN 1 JANUARY 1994 AND 31 DECEMBER 1994

TRIBUNAL PÉNAL INTERNATIONAL CHARGÉ DE POURSUIVRE LES PERSONNES PRÉSUMÉES RESPONSABLES DU GÉNOCIDE ET D'AUTRES VIOLATIONS GRAVES DU DROIT INTERNATIONAL HUMANITAIRE COMMISES SUR LE TERRITOIRE DU RWANDA, ENTRE LE 1ER JANVIER 1994 ET LE 31 DÉCEMBRE 1994

Aegon Building, Churchillplein 1, 2501 EW The Hague, The Netherlands Telephone: 31 70 344-5347 Fax: 31-70 344-5345
UNAMIR OFFICE, Kigali, Rwanda

MEMORANDUM

Tribunal international pour le Rwanda
Rapport d'avancement pour la période 9 juin-9 août 1995

Le Tribunal international s'occupe maintenant de nombreuses enquêtes distinctes,mais du fait que l'équipe d'enquêteurs est encore peu étoffée, il a été nécessaire de se concentrer sur un petit nombre de suspects-cibles. Si des mémorandums d'entente pouvaient être signés dans un avenir proche, surtout avec des pays européens, il devrait être possible de se rendre dans ces pays et d'obtenir les preuves jugées nécessaires pour établir les premiers actes d'accusation dans les délais prévus.

Le potentiel présenté par d'autres enquêtes ne peut être évalué à moins qu'un nombre suffisant d'enquêteurs ne soit affecté et détaché au Bureau du Procureur tant pour les investigations sur place que pour la poursuite des enquêtes en Europe et en Amérique du Nord; cet aspect devient extrêmement urgent, car il constitue une condition sine qua non de la mise en état des dossiers.

Les difficultés d'ordre adminsitratif sont toujours là. Heureusement, M. Moumouni Saadou nous procure une assistance inappréciable dans le domaine des voyages, des finances et du personnel, notamment pour le S.S.A. et le recrutement à court terme. Par ailleurs, la MINUAR a toujours assisté le Tribunal en matière de logistique dans la mesure de ses possibilités.

M. Gilli nous a annoncé par fax du 19 juillet un envoi d'équipement que nous espérons recevoir dans les meilleurs délais.

Les deux enquêteurs britanniques qui ont un contrat à court-terme, et qui ont travaillé à Kigali pendant un certain temps, sont retournés à La Haye afin d'y reproduire les procédures de suivi des enquêtes qu'ils ont établies avec succès ici.

Un responsable des relations extérieures et un directeur dans le domaine de l'appui scientifique ont été recrutés; par des voies entièrement différentes, chacun fera progresser notre tâche. Par contre, je réitère que tout autre retard dans le recrutement du personnel-clé ne fera qu'accentuer les problèmes actuels.

Honoré Rakotomanana
Procureur- adjoint

NOTE TO EXECUTIVE DIRECTOR

SUBJECT: The Secretary-General's report of 30 June 1995 on the International Tribunal for Rwanda

As you have requested, the following are my comments with regard to the above-mentioned report on the International Tribunal for Rwanda:

1. I do not believe that certain aspects of the report are based upon unsubstantiated information. With regard to paragraph 4, it is true that the Tribunal staff encountered various difficulties in their efforts to establish an office in Kigali with the result that, until quite recently, they had no permanent presence here. Their budgetary problems also prevented them from making any concrete plans and recruiting qualified personnel on a long-term basis. They also encountered difficulties in obtaining secure premises for their office and accomodation for their staff. However, as mentioned in paragraph 6 of the report, these obstacles have to a great extent now been overcome (the general situation in Kigali has improved; certain key personnel can now be recruited; premises for both accomodation and office needs have been located and the space requirements of their office can be met).

   Consequently, it is expected that their office in Kigali will now rapidly expand in size with a combination of recruited and contributed personnel.

2. It appears that the most major impediment towards achieving greater and more effective progress in establishing the Tribunal is due to the fact that the General Assembly has not yet approved the Tribunal's budget. Budgetary approval for the Tribunal would greatly facilitate the operational development of the Tribunal; permit recruitment of personnel to take place on an accelerated basis; allow the necessary lease and other contractual commitments to be undertaken; and enable the planning of a work programme for investigation, the preparation of indictments and the holding of trials.

Ladan M. Rafii
16 July 1995

UNITED NATIONS NATIONS UNIES

FACSIMILE TRANSMISSION

TO: Mr. Shaharyar Khan
SRSG
FAX #: 3.3090

FROM: Elisabeth Lindenmayer, UNATIONS, New York
FAX #: 3.6460

DATE: 10 July 1995

PAGE: 1 of 19

As discussed. Best regards.

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rather discouraging

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Security Council

Distr.
GENERAL

S/1995/533
30 June 1995

ORIGINAL: ENGLISH

FURTHER REPORT OF THE SECRETARY-GENERAL PURSUANT TO PARAGRAPH 5 OF SECURITY COUNCIL RESOLUTION 955 (1994)

I. INTRODUCTION

1. In paragraph 5 of resolution 955 (1994) of 8 November 1994, I was asked to report periodically to the Security Council on the implementation of the resolution establishing the International Tribunal for Rwanda. In my first report on 13 February 1995 (S/1995/134), I informed the Council of the steps envisaged for the practical implementation of the resolution and made my recommendation that Arusha, United Republic of Tanzania, should be selected as the seat of the Tribunal. The present report describes the manner in which implementation has evolved since my last report, provides up-dated information regarding the arrangements being made for the seat of the Tribunal and sets out the current situation as regards the financing of the Tribunal.

II. PRACTICAL IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 955 (1994)

2. In my report of 13 February 1995, I described a two-phase approach to the implementation of the resolution. In a first phase, an investigative/prosecutorial unit was to be established in Kigali under the immediate supervision of the Deputy Prosecutor, Mr. Honoré Rakotomanana (Madagascar), who officially assumed his functions on 1 March 1995. In the second phase, it was envisaged that the seat of the Tribunal would be established at the location to be determined by the Council.

3. The establishment of a Prosecutor's office in Kigali was based on the decision taken by the Council in paragraph 6 of resolution 955 that an office will be established and proceedings conducted in Rwanda where feasible and appropriate.

4. For a variety of reasons, however, the Office in Kigali has yet to become fully operational. The uncertain budgetary situation made it difficult to attract and recruit qualified personnel; the core staff of the investigation section of the Office expressed concerns about the safety of personnel and the

security of documents; and premises for both accommodation and office needs were either unavailable or inadequate. The establishment of the Office in the first 10 weeks has, therefore, been more difficult than anticipated and until very recently it had no permanent presence in Kigali.

5. In the meantime, the process of investigation into serious violations of international humanitarian law and acts of genocide has been actively directed by the Deputy Prosecutor from Kigali and The Hague. The investigation, which focuses on approximately 400 identified suspects, is being conducted both in and outside Rwanda, notably in other African countries, Europe and North America, where the principal planners of the crime of genocide are believed to be located. The nature of the investigation in Europe and North America necessitates a temporary presence of investigators in the Prosecutor's Office in The Hague.

6. The prospects for a fully operational Office of the Prosecutor in Kigali have improved somewhat in recent weeks. As my Special Representative informed the Council on 5 June 1995, the general situation in Kigali has improved; notwithstanding the limited commitment authority that is the current basis of the financing of the Tribunal, certain key personnel can now be recruited, with the approval of the Controller, for up to one year; a small number of contributed personnel have also been deployed to Kigali; premises for both accommodation and office needs have been located, and with the reduction in size of the United Nations Assistance Mission for Rwanda (UNAMIR), the space requirements of the Office can be met, even if the demand should grow beyond the number of posts currently foreseen. Notwithstanding the reduction of its force level, UNAMIR will continue to provide comprehensive support for the security of personnel and premises of the Prosecutor's Office, in accordance with resolutions 965 (1994) and 997 (1995). Barring any unforeseen difficulties of a practical or a security nature, it is expected that the Office in Kigali will now rapidly expand in size with a combination of recruited and contributed personnel.

7. Aware of the difficulties so far encountered in the early operation of the Prosecutor's Office in Kigali, I nevertheless wish to emphasize the considerable importance I attach to the presence of a fully operational Office in Kigali. Such a presence is not only mandated by the Security Council, but is also imperative for the socio-educational impact it would have on the people and Government of Rwanda. It has repeatedly been emphasized by the Government and the international community that the problem of impunity for crimes committed in Rwanda must not only be addressed but must also be seen to be addressed by the people most directly concerned.

8. The determination by the Council in resolution 977 (1995) of 22 February 1995 that, subject to the conclusion of appropriate arrangements, the seat of the International Tribunal will be at Arusha, opened the way to the election of the six trial judges by the General Assembly on 24 and 25 May 1995. Since the arrangements governing the seat of the Tribunal have yet to be completed, the first plenary session of the International Tribunal for Rwanda took place in The Hague between 26 and 30 June 1995. During this session the judges adopted the rules of procedure and evidence of the Tribunal and elected

Mr. Lafty Kama (Senegal) President and Mr. Yakov A. Ostrovsky (Russian Federation) Vice-President.

III. ARRANGEMENTS CONCERNING THE SEAT OF THE TRIBUNAL

9. Following the adoption of resolution 977 (1995) on the seat of the Tribunal, the Government of the United Republic of Tanzania confirmed its readiness to host the Tribunal in Arusha by a letter dated 10 April 1995 from the Permanent Representative of the United Republic of Tanzania addressed to the Legal Counsel.

10. A technical mission of the United Nations composed of representatives of the Buildings Management Service and the Purchase and Transportation Service of the United Nations Secretariat visited Arusha between 10 and 16 May 1995 to survey the premises of the Arusha International Conference Centre and the facilities available in Arusha to accommodate the Tribunal. The mission held discussions with the management of the Arusha International Conference Centre concerning arrangements that would be needed for obtaining suitable premises there. That was immediately followed, from 17 to 19 May 1995, by a mission composed of representatives of the Office of Legal Affairs of the Secretariat to discuss with representatives of the Government a draft headquarters agreement and to discuss a draft lease agreement with representatives of the Arusha International Conference Centre. The Acting Chief of Administration of the Tribunal participated in both missions. The discussions of the draft agreements took place, ad referendum, on the basis of draft texts that had previously been prepared by the Office of Legal Affairs and made available to the Government. A record of discussion on both instruments was prepared at the close of the meetings.

11. While a number of issues remain to be resolved on both agreements, these are not thought to be insurmountable. For example, the outstanding issues in the draft headquarters agreement include the relationship of regulations made by and operative on the premises of the Tribunal with the laws and regulations of the United Republic of Tanzania; the exemptions of the Tribunal from certain indirect taxes; the status, privileges and immunities of locally recruited staff of the Tribunal; and the granting of visas free of charge and the use of United Nations travel documents. With respect to the draft lease agreement, all terms and conditions are subject to review and approval by the appropriate United Nations units, and issues such as the amount of rent, identification of the space and the timing of the availability of the premises to the Tribunal will have to be resolved. Other prerequisites for entering into a lease agreement include provision of the necessary funding, as well as completion of procedures and issuance of approvals required under the United Nations Financial Regulations and Rules. It is hoped that it will be possible in the near future to finalize both a headquarters agreement and a lease agreement, subject to the necessary approvals by the respective organs of the Government and the United Nations.

12. It should also be noted that, in addition to the lease, arrangements, including contracting, will have to be made for the renovation, construction and repair work in the Arusha International Conference Centre in order to provide

the necessary facilities for the Tribunal. A report on these aspects from an architectural/planning consultant engaged by the United Nations has been received and is now being examined. The conclusion of a lease agreement and the contractual commitments for the renovation, construction and repair work are, of course, linked to the budget of the Tribunal, which is now in the final stages of preparation.

IV. FINANCING OF THE TRIBUNAL

13. The International Tribunal for Rwanda has thus far been operating on a combination of a commitment authority granted by the Advisory Committee on Administrative and Budgetary Questions of up to $2.9 million and voluntary contributions in cash or kind provided by a small number of Governments. The total pledges and contributions made to the Trust Fund for the International Tribunal for Rwanda to date are slightly in excess of $1 million. In addition, at a specially convened meeting of the Rwanda Operational Support Group in Kigali on 19 May 1995, pledges in cash and in kind in the amount of some $6 to 7 million were made. A budgetary submission for the calendar year 1995 will be presented to the General Assembly during its current session. The approval by the General Assembly of a budget for the Tribunal will greatly facilitate the operational development of the Tribunal, particularly the Prosecutor's Office, permit recruitment of personnel to take place on an accelerated basis and the necessary lease and other contractual commitments to be entered into and enable the planning of a work programme for investigation, the preparation of indictments and the holding of trials.

NATIONS UNIES

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Conseil de sécurité

Distr.
GÉNÉRALE

S/1995/533
30 juin 1995
FRANÇAIS
ORIGINAL : ANGLAIS

NOUVEAU RAPPORT PRÉSENTÉ PAR LE SECRÉTAIRE GÉNÉRAL EN APPLICATION DU PARAGRAPHE 5 DE LA RÉSOLUTION 955 (1994) DU CONSEIL DE SÉCURITÉ

I. INTRODUCTION

1. Au paragraphe 5 de la résolution 955 (1994) du 8 novembre 1994, le Conseil de sécurité m'a prié de lui présenter des rapports périodiques sur la mise en oeuvre de la résolution portant création du Tribunal international pour le Rwanda. Dans mon premier rapport daté du 13 février 1995 (S/1995/134), j'ai informé le Conseil des mesures envisagées pour l'application concrète de la résolution et ai recommandé de choisir Arusha (République-Unie de Tanzanie) comme siège du Tribunal. Le présent rapport décrit comment la mise en oeuvre de la résolution a avancé depuis mon dernier rapport, fournit des renseignements à jour sur les arrangements concernant le siège du Tribunal et dresse le bilan actuel du financement du Tribunal.

II. MISE EN APPLICATION CONCRÈTE DE LA RÉSOLUTION 955 (1994) DU CONSEIL DE SÉCURITÉ

2. Dans mon rapport du 13 février 1995, j'ai décrit une approche en deux étapes pour l'application de la résolution. Dans une première phase, un bureau chargé de l'instruction et des poursuites devait être créé à Kigali sous la supervision immédiate du Procureur adjoint, M. Honoré Rakotomanana (Madagascar), qui a pris officiellement ses fonctions le 1er mars 1995. Lors de la seconde phase, il était envisagé d'établir le siège du Tribunal à l'emplacement choisi par le Conseil.

3. L'établissement d'un bureau du Procureur à Kigali était fondé sur la décision prise par le Conseil au paragraphe 6 de la résolution 955 (1994) d'établir un bureau au Rwanda et d'y conduire des procédures si cela était possible et approprié.

4. Toutefois, pour diverses raisons, le Bureau de Kigali n'est pas encore pleinement opérationnel. En raison de la situation budgétaire incertaine, il a été difficile d'attirer et de recruter du personnel qualifié; l'effectif de base de la section du Bureau chargée de l'instruction s'est déclaré préoccupé par la sécurité des personnes et des documents; des locaux suffisants à usage d'habitation et de bureaux n'ont pas encore été trouvés. La mise en place du Bureau dans les 10 premières semaines a donc été plus difficile que prévu et jusqu'à tout récemment, aucun élément permanent n'était présent à Kigali.

5. Entre-temps, la procédure d'instruction concernant les violations graves du droit international humanitaire et les actes de génocide a été activement dirigée par le Procureur adjoint à partir de Kigali et de La Haye. L'instruction, qui porte essentiellement sur quelque 400 suspects identifiés, est effectuée à l'intérieur comme à l'extérieur du Rwanda, notamment dans d'autres pays d'Afrique, en Europe et en Amérique du Nord, où se trouvent comme on le croit les principaux instigateurs du crime de génocide. La nature de l'instruction en Europe et en Amérique du Nord nécessite une présence temporaire des enquêteurs au Bureau du Procureur à La Haye.

6. Les chances que le Bureau du Procureur à Kigali devienne pleinement opérationnel se sont quelque peu améliorées au cours des dernières semaines. Comme mon Représentant spécial en a informé le Conseil le 5 juin 1995, la situation générale à Kigali s'est améliorée; malgré les engagements de dépenses limités qui constituent l'assise actuelle du financement du Tribunal, il est maintenant possible de recruter, avec l'approbation du Contrôleur, certains membres essentiels du personnel pour une durée allant jusqu'à un an; un effectif réduit fourni à titre de contribution a été également déployé à Kigali; des locaux à usage de logements et de bureaux ont été trouvés et, par suite de la réduction des effectifs de la Mission des Nations Unies pour l'assistance au Rwanda (MINUAR), les besoins en locaux du Bureau pourront être satisfaits même si la demande devait dépasser le nombre de postes actuellement prévu. Malgré la réduction de ses effectifs, la MINUAR continuera de fournir un appui général à la sécurité du personnel et des locaux du Bureau du Procureur, conformément aux résolutions 965 (1994) et 997 (1995). Sauf difficultés imprévues d'ordre pratique ou concernant la sécurité, le Bureau de Kigali devrait maintenant accroître rapidement ses effectifs composés de personnel recruté et de personnel fourni à titre de contribution.

7. Tout en étant conscient des difficultés rencontrées jusqu'ici dans le démarrage des activités du Bureau du Procureur à Kigali, je tiens à souligner l'importance considérable que j'attache à la présence d'un bureau pleinement opérationnel à Kigali. Cette présence est non seulement prescrite par le Conseil de sécurité, mais elle est aussi impérative étant donné l'impact social et éducatif qu'elle produirait sur la population et le Gouvernement rwandais. Le Gouvernement et la communauté internationale ont souligné à maintes reprises que le problème de l'impunité des crimes commis au Rwanda devait être non seulement réglé, mais devait l'être aussi, et de façon visible, par ceux qui étaient les plus directement concernés.

8. Le fait que le Conseil de sécurité, dans sa résolution 977 (1995) du 22 février 1995, a décidé que, sous réserve que les arrangements appropriés soient conclus, le Tribunal international aura son siège à Arusha, a permis à l'Assemblée générale d'élire les six juges des Chambres de première instance les 24 et 25 mai 1995. Étant donné que les dispositions régissant le siège du Tribunal n'étaient pas encore définitivement adoptées, la première session plénière du Tribunal international pour le Rwanda s'est déroulée à La Haye du 26 au 30 juin 1995. Durant cette session, les juges ont adopté le règlement du Tribunal et ont élu Président M. Laïty Kama (Sénégal) et Vice-Président M. Yakov A. Ostrovsky (Fédération de Russie).

III. ARRANGEMENTS CONCERNANT LE SIÈGE DU TRIBUNAL

9. À la suite de l'adoption de la résolution 977 (1995) relative au siège du Tribunal, le Gouvernement de la République-Unie de Tanzanie a confirmé qu'il était prêt à accueillir le Tribunal à Arusha dans une lettre datée du 10 avril 1995 que le Représentant permanent de la République-Unie de Tanzanie a adressée au Conseiller juridique.

10. Une mission technique de l'ONU composée de représentants du Service des bâtiments et du Service des achats et des transports du Secrétariat s'est rendue à Arusha du 10 au 16 mai 1995 afin d'étudier les locaux du Centre international de conférence d'Arusha et les installations disponibles dans cette ville pour accueillir le Tribunal. La mission a examiné avec la direction du Centre international de conférence d'Arusha les arrangements qui seraient nécessaires pour obtenir des locaux appropriés. Immédiatement après, du 17 au 19 mai 1995, une mission composée de représentants du Bureau des affaires juridiques a examiné un projet d'accord de siège avec les représentants du Gouvernement et un projet de contrat de location avec les représentants du Centre international de conférence d'Arusha. Le Chef de l'administration par intérim du Tribunal a participé aux deux missions. Les discussions concernant les projets d'accord et de contrat se sont déroulées ad referendum sur la base des textes qui avaient été préalablement mis au point par le Bureau des affaires juridiques et communiqués au Gouvernement. Un relevé de conclusions concernant les deux instruments a été établi à l'issue des réunions.

11. Un certain nombre de questions restent à résoudre au sujet des deux instruments, mais elles ne sont pas jugées insurmontables. Par exemple, les questions en suspens relatives au projet d'accord de siège portent sur le rapport entre les règlements adoptés par le Tribunal et appliqués dans son enceinte et les lois et règlements de la République-Unie de Tanzanie, l'exemption de certains impôts indirects, le statut, les privilèges et les immunités du personnel du Tribunal non recruté sur le plan local, la délivrance de visas à titre gratuit et l'utilisation des titres de voyage de l'Organisation des Nations Unies. En ce qui concerne le projet de contrat de location, toutes les modalités sont soumises à l'examen et à l'approbation des services compétents de l'ONU et il conviendra de résoudre des questions telles que le montant du loyer, l'identification des locaux et le moment auquel ceux-ci seront mis à la disposition du Tribunal. D'autres conditions à remplir avant la conclusion d'un contrat de location portent sur la fourniture des fonds nécessaires ainsi que sur l'achèvement des procédures et la délivrance des autorisations requises en vertu du Règlement financier et des Règles de gestion financières de l'ONU. Il faut espérer qu'il sera possible de mettre au point dans un avenir proche un accord de siège et un contrat de location sous réserve de l'approbation nécessaire des organes compétents du Gouvernement et de l'ONU.

12. Il convient aussi de noter qu'en plus du bail, des dispositions, notamment contractuelles, devront être prises en ce qui concerne les travaux de rénovation, de construction et de réparation du Centre international de conférence d'Arusha afin d'assurer les installations nécessaires au Tribunal. Un rapport sur ces questions a été établi par un consultant en architecture et en planification engagé par l'ONU et est en cours d'examen. La conclusion d'un contrat de location et les engagements contractuels concernant les travaux de

LISTE DES PRINCIPAUX COMMANDITAIRES, ORGANISATEURS ET AUTEURS PRESUMES DU GENOCIDE ET DES ASSASSINATS POLITIQUES COMMIS AU RWANDA ENTRE LE 6 AVRIL 1994 ET LE 17 JUILLET 1994

NOM ET PRENOM	FAITS	TEMOINS
1 Colonel BAGOSORA Théoneste	Colonel [illegible] Théoneste résidant à Kigali, originaire de Giseny. Chef de cabinet du Ministre de la Défense, ancien Commandant du Camp Militaire de KANOMBE (Kigali) a fourni des armes aux INTERAHAMWE qu'il a contribué à organiser, a publié le premier communiqué après la mort du Président HABYALIMANA le 6 avril 1994, rappelant les officiers à la retraite et initiant le processus de formation du gouvernement intérimaire auto-proclamé peut être le véritable cerveau du plan de génocide et d'extermination de l'opposition politique; une source privilégiée le designe comme le dirigeant du groupe clandestin "AMASASU" (littéralement balles pour les armes à feu) constitué d'officiers extrémistes fascisants Commanditaire et organisateur. Il a donné l ordre aux militaires de tuer Madame le Premier Ministre UWILINGIYIMANA Agathe Il avait dit le 6 janvier 1993 qu'il allait préparer l'apocalypse A la tête du Comité de crise de mise en place des institutions illégales intérimaires Escadron de la mort.	Ex Major
2.NZIRORERA Joseph	Originaire de Ruhengeri, il résidait à Kigali. Ancien Ministre des Travaux Publics et de l'Energie. Réputé extrêmement corrompu, Secrétaire National du M.R.N.D, le Parti de feu le président HABYALIMANA. Un des principaux dirigeants et actionnaires de RTLM. Des témoins affirment l'avoir entendu donner des instructions aux massacreurs par Radio, désignant nommément les cibles à ne pas manquer. Commanditaire et organisateur Il a été vu à Kinshasa à la mi-juillet à l'Aéroport de N'Djili Il a donné des ordres pour tuer beaucoup de gens dont Madame le Premier Ministre et les autres opposants C'est lui le grand financier des miliciens	Un Vice Président du M.R.N.D

3 NGIRUMPATSE Matthieu	Il a été Président du Conseil d'Administration de la Société Rwandaise des Télécommunications. Ancien Ministre de la Justice

10 HABIMANA Ferdinand	Originaire de [illegible] (Obtenu en Fra[illegible] résidait à Kigali. Ancien Directeur de l'Office Ra[illegible] Informat[illegible] Ainsi [illegible] fonctions sous [illegible] d'opposition [illegible] manoeuvres d'[illegible] Bugesera (mars [illegible] Idéologue et responsable des programmes de la RTLM et de l'idéologie fasciste, il a [illegible] avoir ordonné de [illegible] deux jeunes gens devant la Radio RTLM. Co-responsa[illegible] la campagne d'incitation aux massa des tutsi et [illegible] opposants qui a rendu possible le gén des tutsi et [illegible] assassinats des opposants hutu et tutsi. Commanditaire et [illegible] janisateur. Membre de l'escadron de la mort.	[illegible] de la [illegible]
11.NSENGIYUMVA Anatole	Le Colonel NSENGIYUMVA Anatole qui dirigeait les opérations militaires dans la région de Gisenyi et qui fut chef des renseignements militaires. Il est accusé d'avoir participé à la conception et à l'exécution du plan de génocide. Il est le chef des opérations d'extermination des rares rescapé des Bagogwe qui se trouvaient surtout dans quelques paroisses comme [illegible] et GISENYI. Membre de l'e[illegible] de la mor[illegible]	
12 KANTANO HABIMANA	Journaliste pr[illegible]opagandiste de l'idéologie fasciste et terroriste à la Radio RTLM, appelant les gens à s'entre-[illegible] et à fumer la drogue. Originaire de Muyaga/ BUTARE. Il a participé à la préparation du plan de génocide	Tous les Rwandais
13.SINDIKUBWABO Théodore	Originaire de Nyaka / BUTARE. Il résidait à Kigali. Médecin Pédiatre. Ancien Président du Conseil National pour le Développement (CND : Nom du Parlement sous HABYALIMANA) Président de la République auto-proclamé, dans le cadre d'un gouvernement intérimaire mis en place par les militaires extrémistes peu après la mort du Président HABYARIMANA. Il est réputé d'avoir tenu publiquement des discours d'appel aux massacres. Notamment lors du remplacement du Préfet de la Préfecture BUTARE Jean Baptiste HABYARIMANA opposé aux massacres, une douzaine de jours après la mort du Président HABYARIMANA et le déclenchement du génocide et des assassinats politiques dans la capitale et la plus part des préfectures. Il a lui même incité la population à s'entre-tuer. Il a démis les préfets et les autorités qui ne tuaient pas. Commanditaire et organisateur.	Tous les Rwandais
14.KAMBANDA Jean	Originaire de BUTARE résidait à Kigali, ancien cadre des Banques Populaires du RWANDA. Premier Ministre du Gouvernement intérimaire auto-proclamé: a prononcé un grand nombre de discours d'incitation directe ou indirecte aux massacres, ainsi que des discours de félicitations aux FAR après les premiers massacres. Il a lui même incité la population à tuer les opposants et les tutsi. Il a incité les citoyens à la tragédie en armant tous les citoyens	Tous les Rwandais

15 BAGAMBIKI Emmanuel.	Originaire [illegible] sous-préfet [illegible] au Préfet [illegible] SINDIKUBWABO [illegible] fut [illegible] d'ailleurs félicité pour [illegible] Deuxio macabre [illegible] même fait tuer son gendre le regretté Substitut [illegible] Monsieur BAGAMBIKI Emmanuel [illegible] de Cyangugu a, [illegible] Kajyambangabo Il est accusé [illegible] de responsable des massacres organisés exécutés en mars [illegible] au Bugesera au moment où il était Préfet de Kigali. Il est également cité parmi les grands responsables [illegible] exécution des tutsi et des opposants politiques [illegible] de HABYALIMANA dans la préfecture de Cyangugu en [illegible] 1994 Membre de [illegible] de la mort.	Rue [illegible]
16.KARAMIRA Frodouald	Originaire de Gitarama résidait à KIGALI, NYARUGENGE [illegible] d'affaires [illegible] Président du Mouvement Démocratique Républicain (MDR) lors du congrès (controversé) de Kabusunzu organisé à Kigali en juillet 1993. Depuis [illegible] principal [illegible] de faction de son parti dit "POWER" réputé pour [illegible] vis-à-vis des batutsi et allié [illegible] circonstance [illegible] et de la CDR Il est réputé [illegible] prononcé plusieurs discours d'incitation au génocide [illegible] participé à l'organisation des massacres dans sa préfecture d'origine, Gitarama Commanditaire [illegible] organisateur Il a incité la population à s'entretuer à la RTLM. Il est parmi les [illegible] génocide, voir son discours au stade. Il a fait des discours incendiaires sur la Radio Nationale pendant le génocide. Au cours de la période de perpétration du génocide [illegible] circulait en ville en incitant les INTERAHAMWE et leurs acolytes à l'extermination des Tutsi	
17.MUGENZI Justin	Il a incité la population à parachever le révolution de 1959. Il a menacé de mort les Premiers Ministres et politiciens originaires de Kibungo. Résidait à Kigali Initialement [illegible] fondateur du Parti libéral (PL) devenu après la scission le leader de la tendance "POWER" de ce parti (opposé à la tendance favorable à l'Accord de Paix d'Arusha, dite tendance [illegible] Ministre de l'industrie et du Commerce au sein du deuxième Gouvernement de transition dirigé par feu Madame [illegible]NIMANA Agathe et au sein du Gouvernement auto-proclamé [illegible] pour avoir prononcé des discours d'incitation à la haine ethnique notamment sur les ondes de la RTLM. Il aurait activement participé à l'organisation du génocide dans sa préfecture d'origine Kibungo ainsi que dans la région de Nyanza / BUTARE. Commanditaire et organisateur. Vu à Kinshasa mi-juillet 1994 à l'Hôtel INTERCONTINENTAL	

18 RENZAHO Tharcisse	Le Colonel RENZAHO Tharcisse est cité parmi ceux qui o[illegible] la formation des miliciens INTERAHAMWE. Il a dirigé des massacres et les pillages depuis 19[illegible] 1990. Il a [illegible] la population menacé de s'enfuir [illegible] participé [illegible] au génocide et aux massacres [illegible] à la tête du groupe des déstabilisateurs de la sécurité de la ville de Kigali. Les mêmes responsables ont distribué des armes à feu et les armes blanches aux miliciens INTERAHAMWE et aux populations civiles. Au cours de la perpétration du génocide et des massacres, le Colonel RENZAHO a participé aux enlèvements des tutsi dans les lieux de refuges lesquels enlèvements étaient suivis d'assassinats. L'exemple le plus frappant est celui du Centre des Missionnaires d'Afrique (CELA) où en date du 22 avril 199[illegible] le Colonel RENZAHO a autorisé aux miliciens INTERAHAMWE de massacrer [illegible] gens. Ce jour là devant 400 personnes réfugiées au CELA depuis le 7 avril 1994 et le groupe des miliciens qui venait d'attaquer les fugitifs, il n'a pas hésité à dire que les miliciens sont compétents pour déterminer du sort de toute personne soupçonnée d'être complice du FPR. Escadron de la mort	
19 BARAYAGWIZA Jean Bosco	Originaire de Ruhengeri. Résidait à Kigali. Directeur de la Politique au Ministère des Affaires Etrangères et de la Coopération. Principal dirigeant de la CDR dont il est un des fondateurs. Ancien Président de la Commission Politique du même parti. Actionnaire de la RTLM dite "Radio des Mille Collines" (1 sur des 50 premiers). Rôle éminent dans la conception et la propagande en faveur du plan susmentionné. Commanditaire et organisateur. Membre de l'escadron de la mort	
20 BIZIMUNGU Augustin	Résidait à Kigali. Ministre de la Défense Nationale du dernier Gouvernement de transition sous la présidence de HABYALIMANA, maintenu à ce poste dans le cadre d'un Gouvernement intérimaire auto-proclamé; rôle éminent dans la conduite des FAR et en particulier de la garde présidentielle, pendant toute la période concernée. Ex-Préfet de Ruhengeri, il présidait l'organisation ARDEVI-TABARA (une [illegible] fantôme de défense des droits de l'homme qui ne défendait que le régime HABYALIMANA). Il est accusé d'avoir participé à la préparation et à la perpétration du génocide. Sa déclaration du 7 avril 1994 dans la matinée empêchant les Rwandais de bouger de leurs résidences ou domiciles est l'une des armes utilisées pour massacrer un grand nombre de personnes indésirables par le régime MRND-CDR. Commanditaire et organisateur. Membre de l'escadron de la mort	

21 GS...ri ... DIZIMUNGU A. .	... FAR en temps ... ... attentat contre l ... ... responsable de toutes les a... ... la Garde Présidentielle pendant ... ... actuellement en exil au ZAÏRE pré... ... des FAR pour téattaquer le Zaï... récemment traité le Président Pasteur BIZIMUNGU de traître et de renégat ayant épousé une femme tutsi et sa...	
22.BIZIMUNGU Casi...	Originaire de RUHENGERI, résidait à Kigali Ministre de la ... anté du dernier Gouvernement de transition sous la présidence de HABYALIMANA; maintenu à ce ... du Gouvernement intérimaire auto-proclamé ... dans les massacres des Bagogue en 1991 Véritable animateur périodique KANGURA publié à Gisenyi par HASSAN Ngeze et député pour ces incitations à la haine ethnique et au refus catégorique du dialogue entre pouvoir et opposition Commanditaire Vu récemment (juillet 1994) à Goma au ZAÏRE Il a participé à la préparation du plan de génocide	
23.Madame HABYALIMANA Agathe	... du Président HABYALIMANA, résidait à Kigali ... trice ... du périodique KANGURA ... en grand prestige auprès des ... de la garde présidentielle et des ... extrémiste "Akazu", a chercher ... ensuite au Batutsi en général et aux ... Nations belges la responsabilité de l attentat contre l ... du Président HABYALIMANA; s'est refusée à lancer un appel à l'arrêt des massacres malgré la demande insistante de HUMAN RIGHTS WATCH ... actuellement en exil en France Commanditaire	
24.KABUGA Félicien	Homme d'affaires beau-père du fils aîné du Président HABYALIMANA, originaire de BYUMBA; résidait à KIGALI. Président du Conseil d'Administration de la "Radio Télévision Libre des Milles Collines" dont il est un des 50 premiers actionnaires, initiateur d'un fond de soutien aux FAR créé à Gisenyi en avril-mai 1994 Commanditaire et Organisateur récemment (août 1994) expulsé de la Suisse vers KINSHASA au ZAÏRE	
25 KAJUGA Robert	Résidait à KIGALI Président National des INTERAHAMWE; a participé ... aux entraînements paramilitaires de cette milice a donné ... interview au journal le Monde recueilli par Jean HELENE ... niant sans argument toutes les accusations formulées contre la milice, semble avoir servi de paravent aux membres de l'AKAZU, véritables maîtres des INTERAHAMWE Il réside actuellement à KINSHASA (août 1994). Organisateur	

26 [illegible]	[illegible] POWER [illegible] des dissidents divisionnistes [illegible] antennes de Radio Rwanda et sur celles de la [illegible] originaire de [illegible] ALINGERI résidait à [illegible] Docteur en sciences politiques (Université [illegible] Louvain en Belgique) Secrétaire Natio[illegible] du Mouvement Démocratique Républicain (MDR) jusqu[illegible] controversé) de Kabusunzu, organisé à [illegible] 993. Depuis lors deuxième personnalité [illegible] parti dite MDR POWER réputé dans son [illegible] Tutsi et allié de circonstance du M[illegible] Il est réputé avoir prononcé plusieurs [illegible] lieu à se venger des Tutsi. Commanditaire
27 NIYITEGEKA Eliezer	Originaire de KIBUYE, résidait à KIGALI Membre de la Direction du Mouvement Démocratique Républicain (MDR lors du congrès (controversé) de Kabusunzu organisé à Kigali en juillet 1993. Depuis lors un des principaux dirigeant de la faction de son parti dite MDR POWER dans son racisme vis-à-vis des batutsi, allié de circonstance du M R N D. et de la CDR Ministre de l'information du gouvernement intérimaire auto-proclamé. Est réputé avoir tenu des discours d'incitation à la haine ethnique sur les ondes de la Radio-Rwanda et de la RTLM. Il aurait très activement participé à l'organisation des massacres dans sa préfecture d'origine KIBUYE Commanditaire et Organisateur.
28.Lieutenant-colonel NKUNDIYE Léon	Officier des FAR résidait à Kigali Ancien garde de corps du Président HABYALIMANA. Ancien Commandant de la Garde présidentielle Commandant du Camp Militaire de KANOMBE à KIGALI Réputé proche de Madame veuve Agathe HABYALIMANA Demeuré influent au sein de la garde présidentielle Un des organisateurs du génocide et des massacres politiques. Réputé membre du réseau zéro.
29.Major MPIRANYA Protais	Officier de FAR Résidait à Kigali. Commandant de la garde présidentielle A ce titre il porte une grande part de responsabilité dans les crimes horribles commis par la GP à Kigali et dans le reste du pays Plusieurs témoins ont affirmé avoir vu des unités de la GP revenir au domicile de certains officiers rendre compte de l exécution de leur mission réputé proche de Madame veuve HABYARIMANA Agathe
30.SEMANZA Laurent	A ordonné le massacre à la paroisse de Musha. A dirigé le massacre à Bicumbi et même dans tout le pays avec NZIROREA membre du parti MRND - KIGALI. Ex- Bourgmestre de BICUMBI Il a participé à la préparation du plan de génocide.

33 BIZIMANA [illegible]	Bourgmestre de la commune NYARUGENGE [illegible] de au niveau de la préparation du génocide et des massacres [illegible] est BIZIMANA en collaboration avec les responsables du Ministère de la Défense Nationale a ordonné l'attaque des personnes réfugiées au Centre Pastoral de Pastoral Saint Paul en date du [illegible] 1994 Cette attaque a fait 44 victimes assassinées dans le secteur RUGENGE	
34. BIZIMUNGU [illegible] Claver	Bourgmestre de la Commune KACYIRU Il est responsable de la préparation et la perpétration du génocide et des massacres Il est parmi les organisateurs de la formation des [illegible] ressortissants de la commune KACYIRU Pendant le génocide il a facilité le transport et le ravitaillement des INTERAHAMWE	
35 MBARALIYEHE Gaspard.	Conseiller de secteur NYARUGENGE Il a fait assassiner des personnes arrêtées par les INTERAHAMWE sur base des considérations éthniques	
36 Major NTANGURWA	Chef de la police de la PVK. Il a mis les conseillers de secteur des communes de la PVK à mettre en application le plan d'extermination des tutsi et des hutu qui s'opposaient au parti MRND-CDR C'est lui qui donnait aux INTERAHAMWE des instructions, des armes et des munitions	
37 Docteur MUNYAKAZI Christophe	Alias CDR Médecin au CHK. Il a livré aux militaires et miliciens les Tutsi qui se cachaient à la pédiatrie de son secteur de résidence à savoir le secteur RUGENGE. Il a participé à l'élimination physique ses voisins tutsi et [illegible] de l'opposition au régime MRND-CDR.	
38.Colonel SETAKO	Il a ordonné aux miliciens INTERAHAMWE DE MASSACRER toute les personnes réfugiées dans l'immeuble des chinois sis dans le quartier KIYOVU aux environs de la CELTAR.	
39.HATEGEKIMANA Jean Damascène	Directeur Général de la Caisse Sociale du RWANDA. Lui et sa famille ont fait assassiner plusieurs dizaines de tutsi dans le quartier KIYOVU Il a participé à la préparation du génocide	
40 Capitaine SIMBIKANGWA Pascal	Il est cité parmi les membres du réseau zéro, a participé à l'exécution du plan de génocide à Kigali et dans tout le pays	
41.HARERIMANA Stanislas	Avocat Général près la Cour d'Appel de Kigali. A participé au génocide et aux massacres et pillages. Il a tiré sur domestique nommé Prosper VUNABANDI. Il a pillé plusieurs véhicules de service et d'autres biens dont certains furent retrouvés dans son bureau de travail.	
42.Madame SAHUNKUYE MUKANDUTIYE Angéline	Elle était présidente des INTERAHAMWE dans le secteur RUGENGE Elle est accusé d'avoir dirigé les opérations d'extermination d'une ethnie à savoir les tutsi dans son secteur	

[illegible]	[illegible]seiller de secteur RUGENGE. Elle a organisation du génocide dans le [illegible] dirigeait. C'est elle qui a fait exécuter [illegible] journaliste KAMEYA André. Actionnaire de la RTLM
42. [illegible]	Conseiller de secteur NYAKABANDA. [illegible] du génocide dans son secteur et il [illegible] telles que Mesdemoiselles MUTEGWAMARA [illegible] et UWINGABIRE Chantal.
43. KAREMERA François	Préfet de la préfecture Kigali rural. [illegible] commanditaire du génocide et des massacres. Il a été actif surtout dans la Préfecture de la Ville de KIGALI et dans la Préfecture de Kigali Rural. Il a été cité dans les massacres des tutsi dans la région de BUGESERA en mars 1992 et dans le génocide d'avril 1994 dans les quartiers NYAMIRAMBO, KIVUGIZA et MUMENA de la Ville de KIGALI ainsi que dans toutes les communes de la préfecture de KIGALI. Il distribuait les grenades et les armes aux miliciens. Tous ses voisins ont été tués et leurs maisons détruites. Membre de l'escadron de la mort.
44. [illegible]	Conseiller de secteur BILYOGO. Il a [illegible] organisé les miliciens de son secteur [illegible] distribuait des armes et munitions et [illegible] des personnes à massacrer.
45. NGEZE HASSAN	Directeur du journal "KANGURA" et leader du parti CDR. Il détenait le plan du génocide. Il est accusé d'avoir diffusé dans son journal depuis sa création, des écrits divisionnistes. Depuis 1990 il a été toujours parmi les poseurs de mines et les distributeurs d'armes et munitions aux miliciens INTERAHAMWE, aux IMPUZAMUGAMBI et aux populations hutu de quelques régions
46. Madame KARUSHARA Rose	Conseiller de secteur KIMISAGARA. Elle est accusée d'avoir participé à la préparation (massacres antérieurs depuis 1990, formation des miliciens INTERAHAMWE et IMPUZAMUGAMBI et à la perpétration du génocide d'avril-juillet 1994. C'est elle qui coordonnait les opérations relatives à la distribution des armes, l'établissement des listes des personnes à exterminer et dirigeait les attaques. Elle a fait exécuter la famille NDEGEYA Alphonse
47. BISENGE Schadrack	Commerçant. Président des INTERAHAMWE dans le secteur KIMISAGARA. Il était chef-adjoint des opérations du génocide à KIMISAGARA
48. Cdt KINYONI Stanislas	Député au CND. Il est accusé d'avoir participé à la préparation (massacres antérieurs surtout dans la commune d'origine MBOGO et à l'entraînements des miliciens) et à la perpétration du génocide dans la ville de KIGALI et dans la Préfecture de KIGALI

	mmerçant. Il e[illegible] à la perpétra[illegible] armes pour les [illegible] est cité parmi le groupe du Commandant [illegible]
[illegible] AMIL François	Conseiller de secteur GAISATA. Il est accusé d'avoir organisé les attaques contre les tutsi. Il est [illegible] coordonnait les opérations de distributions d'armes et munitions dans son secteur et élaborait les listes de toutes les personnes condamnées à mourir
51 NIZERAMEF Pacos	Président des INTERAHAMWE dans le secteur GITEGA. Il est accusé d'être commanditaire des massacres dans le secteur GITEGA, NYAMIRAMBO et RUGENGE. Il distribuait des armes et minutions à ses miliciens
52 RWABUTOGO François	Rédacteur en chef du journal "La Médaille MIBAMACIBIRI". Il est accusé d'avoir divisé les Rwandais par des écrits qui dressaient les hutu contre les tutsi. Il a également participé au génocide d'avril-juillet 1994. Il est accusé d'avoir conduit les attaques qui ont coûté la vie à Messieurs RUTAYISIRE et GISIMBA dans la [illegible]
53 [illegible]	Speaker à la Radio RTLM, leader ou Part[illegible] a avoir joué un grand rôle dans l'intox[illegible] populations hutu. Il est cité parmi les [illegible] génocide en général dans tout le pays et [illegible] NYAMIRAMBO en particulier car c'est là [illegible]
54 NTAHOBALIPFA Jean	Alias congolais. Conseiller de secteur GIKONDO qui assurait l'intérim du Bourgemestre après le limogeage du Bourgemestre GASAMAGERA qui était opposé au plan de génocide. Il a été actif aussi bien au niveau de la préparation (massacres antérieurs, diffusion des tracts dressant les hutu contre les tutsi, organisation et formation des miliciens INTERAHAMWE et IMPUZAMUGAMBI, distribution d'armes et munitions) qu'au niveau de la perpétration du génocide et des massacres (il était le chef des opérations génocidaires).
55.BUTERA Jean Baptiste	Sous-Préfet à la Préfecture de la Ville de KIGALI. Il est accusé d'avoir participé aux massacres antérieurs (cf. massacres des Tutsi de GIKONDO en février 1994) et au génocide d'avril-juillet 1994. Il est cité parmi les organisateurs des attaques. Originaire de NYAMINAMA / RUHENGERI. Il a participé à la préparation du plan de génocide
56.TWAHIRWA Séraphin	Président des INTERAHAMWE dans la cellule KABAMBO, secteur GIKONDO. Il est accusé d'avoir participé à la préparation et à la perpétration du génocide. Il distribuait les armes et munitions à ses miliciens INTERAHAMWE et IMPUZAMUGAMBI et élaborait les listes des personnes à massacrer
57 KAYIJUKA Thacien	Commerçant. Il est accusé d'avoir financé les miliciens INTERAHAMWE et IMPUZAMUGAMBI

59 [illegible]	Alias KIBABI Rédacteur en chef du [illegible] Collines" il a toujours diffusé des [illegible] et a participé personnellement [illegible] à KIGALI (KABEZA et NYAKABANDA [illegible]	
60 [illegible] Alois	Ex militaire Président [illegible] NYAKABANDA à KICUKIRO Il a participé [illegible] la perpétration du génocide et des [illegible] des miliciens INTERAHAMWE et IMPUZAMUGAMBI [illegible] lui Il leur donnait des armes pour [illegible] les tutsi C'est lui le cordon entre le comité des [illegible] famille du chef HABYALIMANA	
60 TEMA-KABAT Justin	Ex-Préfet de BUTARE Directeur de Cabinet [illegible] Jeunesse et du Mouvement associatif Il est accusé pour participer à la préparation [illegible] surtout dans la préfecture de BUTARE dans les années 1992-1993 et à la phase finale du génocide et des massacres Sa maison située [illegible] de stock d'armes et [illegible] des INTERAHAMWE IMPUZAMUGAMBI	
61 DAMAS	Conseiller de secteur Kamisange dans la commune urbaine de la Ville de KIGALI, commune KICUKIRO [illegible] chef des opérations du génocide et des massacres dans le secteur qu'il dirigeait Il est accusé d'avoir [illegible] Tutsi pour qu'ils soient massacrés [illegible] dans le secteur.	
62.NZABAJEMAZEBA Charles	Ex-Préfet de RUHENGERI, Directeur de [illegible] des Transports et des Communications Il est accusé d'être un des planificateurs du génocide.	
63.BUHIRIKE Joseph	Grand commerçant au centre de GASIZA dans la préfecture de GISENYI. ~~Il~~ est cité parmi les membres du réseau zéro	
64.MUNYAZESA Faustin	Ex-Ministre de l'Intérieur après Monsieur [illegible] accusé d'avoir participé à la préparation [illegible] à la perpétration du génocide et des massacres [illegible] cité parmi les organisateurs des massacres [illegible] dans la région de Bugesera dans la Préfecture de [illegible] dans la préfecture de BUTARE, dans la préfecture KIBUYE et dans la préfecture GISENYI En 1993 il a permis l'extermination des BAGOGWE dans les préfectures RUHENGERI, GISENYI et KIBUYE et les massacres des opposants politiques au régime HABYALIMANA. Il est responsable du climat d'insécurité qui a prévalu dans la Ville de KIGALI (fin 1992 début 1993 et [illegible] 1994) dans les autres coins du pays Membre de l'escadron de la mort.	

65. [illegible] MUGENZI Stanislas	Ex-Ministre de la [illegible] et leader du parti libéral faction POWER. Il a tenu des propos incendiaires et divisionnistes au cours des meetings du parti libéral fraction POWER et au cours des débats radiodiffusés sur les antennes de Radio RWANDA et sur celles de la RTLM. Il est également accusé d'avoir favorisé la culture de l'impunité au RWANDA en paralysant l'appareil judiciaire lorsqu'il était Ministre de la Justice. Il a permis entre autres la libération des auteurs des massacres des tutsi de la région du Bugesera au moment où la population victime ne fondait son espoir que dans les autorités judiciaires pour être réhabilitée dans ses droits.	
66. BIZIMUNGU Côme	Ex-Préfet de la Préfecture de KIGALI. Il est accusé d'avoir participé à la préparation (cas des massacres de mars 1992 au Bugesera et à MBOGO) et la perpétration du génocide	
67. KAGIMBANGABO André	Ex-Préfet de la Préfecture de CYANGUGU. Il est cité parmi les organisateurs des massacres perpétrés contre les tutsi et les opposants politiques au régime MRND-CRD depuis 1990.	
68. KAYISHEMA Clément	Préfet de KIBUYE. Il est accusé d'être un des grands organisateur et des exécutants du plan de génocide dans la préfecture qu'il dirigeait	
69. SEKAGINA Faustin	Ex-Sous/ Préfet de la Sous-Préfecture [illegible] et ex-Sous/Préfet de RUSHASHI de la préfecture de KIGALI et conseiller à la Présidence de la République. Il est accusé d'avoir participé à la préparation et à la perpétration du génocide et des massacres. Il est responsable du massacre des tutsi de Bugesera en mars 1992 et le massacre de MBOGO en 1993. Membre de l'escadron de la mort	
70. GATETE Jean Baptiste	Ex-Bourgemestre de la Commune MURAMBI EN Préfecture de BYUMBA. Il est accusé d'avoir participé à la préparation et à la perpétration du génocide. C'est lui même qui a dirigé les opération d'extermination des tutsi et des opposants hutu dans la commune MURAMBI. Il était un grand terroriste. divisionniste dans la région de BYUMBA. Membre de l'escadron de la mort.	
71. SHINGIRO MBONYUMUTWA	Leader du parti MDR faction POWER. Il est accusé du génocide à cause des discours incendiaires et du soutien et organisation des miliciens INTERAHAMWE - IMPUZAMUGAMBI et leurs acolytes des partis MDR PL et PSD tendance POWER Il a participé à la préparation du plan de génocide	
72. NTAMABYALIRO Agnès	Ministre de la Justice et leader du parti libéral faction POWER. Elle est accusée de génocide à cause des discours incendiaires et divisionnistes depuis qu'elle a été nommée Ministre de la Justice après la démission de Monsieur MDONAMPEKA Stanislas, elle n'a rien fait pour casser l'impunité dans plusieurs régions du RWANDA Elle a renforcé la paralysie de l'appareil judiciaire.	
73. NKURUNZIZA Aloysie	Criminel. Agent MINIFOP et RTLM	

74 KAREMERA Edouard	Ex-Secrétaire [illegible] Il a participé à la [illegible] génocide et aux massacres Criminel [illegible] de la mort	
75 BEMERIKI Valérie	Journaliste à la RTLM Criminel.	
76.GAHIGI Gaspard	Originaire de MURAMBI /BYUMBA [illegible] pé à la préparation du plan de génocide Rédacteur en chef de la RTLM Criminel.	
77 BAMWANGA J.Baptiste	Journaliste à la radio-Rwanda Criminel	
78.MASUMBUKO Augustin	Président des INTERAHAMWE, meneur [illegible] massacres en commune CYIMBOGO/CYANGUGU	
79.BUSHEKWE Charles	Ancien militaire, meneur et massacreur dans la commune CYIMBOGO.	
80.BIZIMANA Léonidas	Meneur et massacreur dans la commune CYIMBOGO/CYANGUGU.	
81.RWABUKERA Fabien	Entraîner des miliciens, meneur et massacreur dans la Commune CYIMBOGO/CYANGUGU.	
82.MUNYURANGABO Alexandre	Enseignant, meneur et massacreur dans la commune CYIMBOGO; comptable de la CDR	
83.KAYIRANGA Emile	Milicien, meneur et massacreur [illegible] CYIMBOGO/CYANGUGU	
84 SOMAYIRE Célestin	Meneur et massacreur dans la commune CYIMBOGO/CYANGUGU	
85 MURENGEZI Cyprien	Directeur SONAFRUIT Meneur et [illegible] dans la commune CYIMBOGO/CYANGUGU.	
86.MIRUHO Augustin	Meneur et massacreur dans la Commune CYIMBOGO/CYANGUGU	
87.SEBAZUNGU	Chauffeur de taxi. Meneur et Massacreur dans la Commune CYIMBOGO/CYANGUGU.	
88.Tous les fils BISEKWA	Massacreurs et meneurs en commune CYIMBOGO/CYANGUGU	
89.HABIMANA Léon	Infirmier, meneur et massacreur dans la commune CYIMBOGO/CYANGUGU.	
90.NDAYAMBAJE Damascène	Professeur, meneur et massacreur dans la commune NYAKABUYE/CYANGUGU	
91.BANDETSE Edouard	Commerçant, meneur et massacreur dans la commune NYAKABUYE/CYANGUGU Il a participé à la préparation du plan de génocide et des massacres.	
92.Dominique	Veilleur chez BANDETSE. Meneur et [illegible] dans la commune NYAKABUYE/CYANGUGU.	
93.RUZABAVAHO Thracisse	Meneur et massacreur en commune NYAKABUYE/CYANGUGU	
94 RATEGEKIMANA Joseph	Ex-Bourgemestre Meneur et Massacreur [illegible] commune NYAKABUYE/CYANGUGU	

95 S/Préfet [illegible]	[illegible]
96 KABERA	Policier communal Meneur et massacreur [illegible] KAGANO/CYANGUGU
97.MUYUMBYI Gaspard	Réserviste Meneur et massacreur dans la [illegible]
98.MURHANAMUMA Marcel	Enseignant Président C.D.R Meneur et massacreur [illegible] commune KAGANO/CYANGUGU
99.SEMABEZA Jean Pierre	Ex-Bourgemestre Il a participé à la préparation du plan de génocide Meneur et massacreur dans la commune KAGANO
100.HABIMANA François	Enseignant Meneur et massacreur dans la commune KAGANO
101.RURANGANGABO Pascal	Initiateur meneur et massacreur dans la [illegible] Il a participé à la préparation du plan de génocide
102.TEREBUKA Gérard	Meneur et massacreur en commune KAGANO
103.KAYITABA Jean Baptiste	Enseignant Meneur et massacreur dans la [illegible]
104.HABIMANA François	Enseignant Meneur et massacreur dans la [illegible]
105.MUDEYI Félix	Matelot Meneur et massacreur dans la commune [illegible] Il a commencé par tuer GASAMAGERA Bernard
106.KAYAYA Eugène	Président d'orchestre et son frère Sixbert Meneurs et massacreur dans la commune GISHOMA.
107.BAZIRUWEGUKA Jean Baptiste	Enseignant CERAI Meneur et massacreur dans la commune GISHOMA
108.RWAKANA Venant	Meneur et massacreur dans la commune GISHOMA
109.MPAKANIYE Philémon	Massacreur Il a tué une femme et sa famille dans la [illegible] GISHOMA
110.Pasteur SEMUHUGU Philippe	Meneur et massacreur en commune GISHOMA
111.NSABIMANA Damien	Etudiant. Meneur et massacreur en commune KIRAMBO
112.MAYIRA Mathias	Bourgemestre Meneur et massacreur en commune KIRAMBO Il a participé à la préparation du plan de génocide
113.BARAME Joseph	Professeur. Directeur meneur et massacreur dans la commune KIRAMBO
114 KANYANDEKWA Barnabé	Secrétaire [illegible] enseignant [illegible] massacreur en commune KIRAMBO
115.GATAMOBWA Etienne	Meneur et [illegible] en commune GISOZI
116 GAKWAYA Callixte	Ex-Bourgemestre [illegible] secrétaire de préfecture [illegible] massacreur [illegible] GISOMA
117 NSENGUMUREMYI Eugène	Ex Bourgemestre [illegible] et massacreur [illegible] commune GISOZI

118.NSABIMANA Bernard	Chauffeur ancien militaire GP meneur et massacreur en commune GISUMA	
119.MUNYEMANZI Ignace	Meneur en Commune GISUMA Il a incité les massacres à ses discours à la RTLM.	
120.Directeur Callixte + MANELI + NKUSI	Le directeur de SIVAGASIVA et ses acolytes ont fait tuer tout GIHEKE en commune GISUMA	
121.MANELI	Meneur et massacreur en commune GISUMA. IL A FAIT MASSACRER LES GENS DE GIHEKE.	
122.NKUSI	Meneur et massacreur en Commune GISUMA .Il a massacré les gens de GIHEKE.	
123.MUBUMBYI Manassé	Meneur et massacreur en commune KAMEMBE.	
124.SALUM KINPUTU	Meneur et massacreur en commune KAMEMBE.	
125.RUGWIZANGOGA Fabien	Meneur et massacreur en commune GATARE	
126.BICAMUMPAKA David	Enseignant meneur et massacreur en Commune GATARE	
127.MAZIMPAKA Innocent	Meneur et massacreur en Commune GATARE.	
128.NKUNDABATEGA Félicien	Meneur et massacreur en Commune GATARE	
129.NZEYIMANA Jean	Cellule BUHORO en Commune GATARE. Meneur et massacreur pour nettoyage des femmes et enfants des ibyitso.	
130.BISENGIMANA	Meneur de massacres en Commune GATARE pour nettoyage des femmes et enfants des ibyitso.	
131.MIDUGUMBO	Meneur de massacres en Commune GATARE pour nettoyage des femmes et enfants des ibyitso.	
132.RUTIKANGA	Meneur de massacres en Commune GATARE pour nettoyage des femmes et enfants des ibyitso.	
133 KABAYA Anthère	Meneur de massacres en Commune GATARE pour nettoyage des femmes et enfants des ibyitso	
134.NDEREYEHE	Meneur de massacres en Commune GATARE pour nettoyage des femmes et enfants des ibyitso.	
135 Yusuf John MUNYAKAZI	Meneur de massacres en Commune BUGARAMA.il a participé à la préparation de plan de génocide.	
136.NYANDWI Christophe	Meneur de massacres en Commune KAREGERA	
137.NTABADAHIGA Thomas	Meneur de massacres en Commune KARENGERA	
138 BUSUNYU Michel	Meneur de massacres en Commune KARENGERA Voir son discours incitateur à la RTLM Il a participé à la préparation du plan de génocide	
139 KANYAMUHANDA Télesphore	Meneur de massacres .Il a tué Emile et Charles en commune GAFUNZO	

140 Tous les responsables communaux	Bourgmestre et Conseillers de la Commune GAFUNZO sont allés à NYAMIRIRE mener des massacres
141 Faina	Meneur de massacres en Commune GAFUNZO
142.MUNYAMPUNDU Cyprien	Originaire de MABANZA/KIBUYE Il a participé à la préparation du plan de génocide Député Membre de l escadron de la mort
143.RWAGASANA Aristole	Originaire de GITESI/KIBUYE. Il a participé à la préparation du plan de génocide
144.RUHIGIRA Enock	Originaire de BWAKIRA/KIBUYE. Il a participé à la préparation du plan de génocide.
145.MUGAMBIRA Aphrodice	Originaire de RWAMATAMU/KIBUYE Il a participé à la préparation du plan de génocide
146.NIYONSABA Cornella	Originaire de RUTSIRO/KIBUYE Il a participé à la préparation du plan de génocide
147.KAYONGA Jean Baptiste	Originaire de GISOVU/KIBUYE Il a participé à la préparation du plan de génocide
148.SEBITABI Alphonse Marie	Originaire de MWENDO/KIBUYE Il a participé à la préparation du plan de génocide
149.KABASHA Tharcisse	Originaire de BWAKIRA/KIBUYE Il a participé à la préparation du plan de génocide
150.BAGIRISHEMA Ignace	Originaire de MABANZA/KIBUYE Il a participé à la préparation du plan de génocide
151.BUGINGO Joseph	Originaire de GISOVU/KIBUYE. Il a participé à la préparation du plan de génocide
152.MURAGIZI Gabriél	Originaire de MWENDO/KIBUYE Il a participé à la préparation du plan de génocide
153.MUNYANDEKWE Anastase	Originaire de GIKONGORO, ancien Fonctionnaire au Ministère des Transports et Communications Il a participé à la préparation du plan de génocide
154.RUREMESHA Esdras	Originaire de RWAMATAMU/KIBUYE Il a participé à la préparation du plan de génocide
155.RWANZEGUSHIRA Juvénal	Originaire de KIVUMU/KIBUYE Il a participé à la préparation du plan de génocide
156.NDISEBUYE Bernard	Originaire de GITESI/KIBUYE Il a participé à la préparation du plan de génocide
157.MUGESERA Léon	Originaire de KIBILIRA/GISENYI Il a participé à la préparation du plan de génocide
158.UWILINGIYIMANA Juvénal	Originaire de KAYOVE/GISENYI Il a participé à la préparation du plan de génocide
159.NYAGASAZA Mathias	Originaire de KARAGO/GISENYI Il a participé à la préparation du plan de génocide

160 NGIRUMPATSE Augustin	[illegible] de GISENYI Il a participé à la préparation du plan de génocide	
161.NDALIHORANSE [illegible] Baptiste	Originaire de GICIYE/GISENYI Il a participé à la préparation du plan de génocide	
162 SEYOBOKA [illegible]	Originaire de SATINSYI/GISENYI Il a participé à la préparation du plan de génocide	
163.BUTSINGIBI Alphonse	Originaire de RWERERE/GISENYI. Il a participé à la préparation du plan de génocide.	
164.BAKIYE Jean Baptiste	Originaire de MUTURA/GISENYI. Il a participé à la préparation du plan de génocide.	
165.BAGARAGAZA Michel	Originaire de GICIYE/GISENYI. Il a participé à la préparation du plan de génocide.	
166 AYIPHANDA Martin	Originaire de NYAMYUMBA/GISENYI Il a participé à la préparation du plan de génocide	
167.BALIHE Aloys	Originaire de GASEKE/GISENYI. Il a participé à la préparation du plan de génocide	
168.GAHIMANO Fabien	Originaire de NYAMYUMBA/GISENYI Il a participé à la préparation du plan de génocide	
169.HIGANIRO Alphonse	Originaire de GASEKE/GISENYI Il a participé à la préparation du plan de génocide	
170.MPORANYI Joseph	Originaire de KAYOVE/GISENYI Il a participé à la préparation du plan de génocide.	
171.NTIRAHABIMANA Gaudance.	Originaire de KARAGO/GISENYI. Président du Parti MFBP.Elle a participé à la préparation du plan de génocide.	
172.RUKABUKIRA Ildéphonse	Originaire de RAMBA/GISENYI Il a participé à la préparation du plan de génocide	
173.NYIRAHABUFITE Cathérine	Originaire de SATINSYI/GISENYI Il a participé à la préparation du plan de génocide	
174.BICAMUMPAKA Jean Bosco	Originaire de RUHONDO/RUHENGERI Il a participé à la préparation du plan de génocide MRND RUHENGERI	
175.NYIRASAFALI Gaudence	Originaire de KIGOMBE/RUHENGERI Elle a participé à la préparation du plan de génocide Directrice de l'ONAPO Membre de l'escadron de la mort.	
176.MANIRAGABA BALIBUTSA	Originaire de NYARUTOVU/RUHENGERI Il a participé à la préparation du plan de génocide	
177.NKIRANUYE Jean Damascène	Originaire de CYABINGO/RUHENGERI Il a participé à la préparation du plan de génocide	
178.NTIBITURA Bonaventure	Originaire de RUHONDO/RUHENGERI Il a participé à la préparation du plan de génocide	
179 GASANA Thaddée	Originaire de KINIGI/RUHENGERI Il a participé à la préparation du plan de génocide	

180 NTAMUSHOBORA Pierre	Originaire de [illegible] a participé à la préparation [illegible]	
181 NTARWANDA Célestin	Originaire de [illegible] a participé à la préparation du plan de génocide	
182.NKERAMIHIGO Protais	Originaire de BUTARO/RUHENGERI Il a participé à la préparation du plan de génocide	
183.KAYINAMURA Célestin	Originaire de KIDAHO/RUHENGERI Il a participé à la préparation du plan de génocide	
184.NERETSE Fabien	Originaire de NDUSU/RUHENGERI Il a participé à la préparation du plan de génocide	
185.NDUWAYEZU Jean DAmascène	Originaire de RUHENGERI Il a participé à la préparation du plan de génocide	
186 RUZINDANA Augustin	Originaire de TUMBA/BYUMBA Il a participé à la préparation du plan de génocide	
187 MITONKO François Xavier	Originaire de [illegible] a participé à la préparation du plan de génocide	
188 NDANGALI Christophe	Originaire de [illegible] a participé à la préparation du plan de génocide	
189 NYIRABIZEYIMANA Immaculée	Originaire de KIVUYE/BYUMBA a participé à la préparation du plan de génocide	
190.KAYINAMURA Phocas	Originaire de TUMBA/BYUMBA Il a participé à la préparation du plan de génocide	
191.MBONIGABA Stanislas	Originaire de CYUNGO/BYUMBA. Il a participé à la préparation du plan de génocide	
192.MUSEMA UWIMANA Alfred	Originaire de RUTARE/BYUMBA Il a participé à la préparation du plan de génocide	
193.NKURUNZIZA Charles	Originaire de KIBALI/BYUMBA Il a participé à la préparation du plan de génocide	
194 NDAYISHIMYE François	Originaire de MUHURA/BYUMBA Il a participé à la préparation du plan de génocide	
195.AHORUGEZE Sylvère	Originaire de MUKARANGE/BYUMBA Il a participé à la préparation du plan de génocide	
196 MUGABO Léopold	Originaire de BUYOGA/BYUMBA Il a participé à la préparation du plan de génocide	
197 MUNYE Aloys	Originaire de KIBALI/BYUMBA a participé à la préparation du plan de génocide	
198 RWABUKOMBE Onésphore	Originaire de MUVUMBA/BYUMBA Il a participé à la préparation du plan de génocide	
199 RWAMBONERA Evergiste	Originaire de BYUMBA Il a participé à la préparation du plan de génocide	

200 HABIMANA Alias CYASA	Président du [illegible] en Préfecture KIBUNGO	
201.MUGIRANEZA Prosper	Originaire de KIGARAMA/KIBUNGO Il a participé à la préparation du plan de génocide	
202.MUTABARUKA Sylvain	Originaire de SAKE/KIBUNGO Il a participé à la préparation du plan de génocide	
203. SEFUKU Léonce	Président du Tribunal de [illegible] MUHAZI Il a participé au génocide et massacres	
204.BIZIMANA Jean Baptiste	Originaire de RUTONDE/KIBUNGO. Il a participé à la préparation du plan de génocide	
205.NDABALINZE Sylvestre	Originaire de NYAMIYAMA/RUHENGERI. Il a participé à la préparation du plan de génocide	
206 SENKWARE Célestin	Originaire de KAYONZA/KIBUNGO Il a participé à la préparation du plan de génocide	
207 RWAKAYIGAMBA Pierre	Originaire de M[illegible] Il a participé à la préparation du plan de génocide	
208 HABIMANA Célestin	Originaire de RUSUMO/KIBUNGO Il a participé à la préparation du plan de génocide	
209.HABIMANA Joseph	Originaire de MUHAZI/KIBUNGO Il a participé à la préparation du plan de génocide	
210.MPAMBARA Jean	Originaire de RUKARA/KIBUNGO Il a participé à la préparation du plan de génocide	
211.NGENZI Octavien	Originaire de KABARONDO/KIBUNGO Il a participé à la préparation du plan de génocide	
212.NDARUHUTSE Adelite	Originaire de RUKIRA/KIBUNGO. Il a participé à la préparation du plan de génocide	
213 TARIMUNA Melchiade	Originaire de BIRENGA/KIBUNGO Il a participé à la préparation du plan de génocide	
214 GAKWAVE Léopold	Originaire de MUGESERA/KIBUNGO Il a participé à la préparation du plan de génocide	
215.MUKARWEGO Séraphine	Originaire de RUSUMO/KIBUNGO Il a participé à la préparation du plan de génocide	
216 RUTAGAYISASO Jean Berchmans	Originaire de RUTONDE/KIBUNGO Président DU MRND secteur KIGABIRO Il a participé à la préparation du plan de génocide	
217 JYAMUBANDI Siméon	Originaire de MUGESERA/KIBUNGO Il a participé à la préparation du plan de génocide Député MRND	
218 NTEZIRYAYO Siméon	Originaire de KAMEMBE/CYANGUGU Il a participé à la préparation du plan de génocide [illegible] Président du MRND [illegible]	

219 NTAGERURA André	Originaire de KARENGERA/CYANGUGU Il a participé à la préparation du plan de génocide Ministre des Transports et des Télécommunications	
220.GATABAZI Vénuste	Originaire de BUGARAMA/CYANGUGU Il a participé à la préparation du plan de génocide	
221.BALIGIRA Félicien	Originaire de GISUMA/CYANGUGU Il a participé à la préparation du plan de génocide	
222.GUMILIZA Hesron Alexis	Originaire de KIRAMBO/CYANGUGU Il a participé à la préparation du plan de génocide	
224.HABIYAREMYE Fabien	Originaire de CYIMBOGO/CYANGUGU Il a participé à la préparation du plan de génocide	
225.SEMUHUNGU Jean Claude	Originaire de GITARAMA Il faisait partie de la faction MDR POWER Il a tué beaucoup de gens avec son fusil Il a participé à la préparation du plan de génocide	
226 MUKANTWAZA Consolée	Originaire de CYIMBOGO/CYANGUGU Il a participé à la préparation du plan de génocide	
227. KAGABO Jean B	Originaire de NTONGWE/GITARAMA Il était Bourgemestre de la Commune NTONGWE Il a tué beaucoup de gens Il a participé à la préparation du plan de génocide	
228.KANAMUGIRE Fidèle	Originaire de NYAKABUYE/CYANGUGU Il a participé à la préparation du plan de génocide	
229.HABIYAKARE Elizan	Originaire de KIRAMBO/CYANGUGU Il a participé à la préparation du plan de génocide	
230.MUGAGA Nathan	Originaire de TAMBWE/GITARAMA Bourgmestres de la Commune TAMBWE Il a participé à la préparation du plan de génocide.	
231.SIMBA Aloys	Originaire de MUSEBEYA/GIKONGORO Il a participé à la préparation du plan de génocide	
232.MBANGURA Daniel	Originaire de MUDASOMWA/GIKONGORO Il a participé à la préparation du plan de génocide	
233.MUKAKABEGO Gaudence	Originaire de KINYAMAKARA/GIKONGORO. Il a participé à la préparation du plan de génocide	
234.BINIGA Damien	Originaire de MUKO/GIKONGORO Il a participé à la préparation du plan de génocide	
235.NTEGEYINTWALI Joseph	Originaire de MUDASOMWA/GIKONGORO Il a participé à la préparation du plan de génocide	
236 MUKAYAYANGE Anne-Marie	Originaire de NSHILI/GIKONGORO Il a participé à la préparation du plan de génocide	
237 NTAHOBARI Charles	Originaire de MUBUGA/GIKONGORO Il a participé à la préparation du plan de génocide	

238.REKERAHO Anastase	Originaire de KINYAMAKARA/GIKONGORO. Il a participé à la préparation du plan de génocide	
239.MUCUMANKIKO Silas	Originaire de KINYAMAKARA/GIKONGORO. Il a participé à la préparation du plan de génocide	
240.MURENGERANTWALI Félicien	Originaire de KIRAMBO/GIKONGORO. Il a participé à la préparation du plan de génocide	
241.NTAHUKUNDEYAYI Dominique	Originaire de MUBUGA/GIKONGORO. Il a participé à la préparation du plan de génocide	
242.NDIKUBWIMANA Origène	Originaire de KIVU/GIKONGORO Il a participé à la préparation du plan de génocide	
243. MUNYESHAKA Justin	Originaire de RWAMIKO/GIKONGORO Il a participé à la préparation du plan de génocide	
244.SEMAKWAVU Félicien	Originaire de NYAMAGABE/GIKONGORO Il a participé à la préparation du plan de génocide	
245.NGEZAHAYO Désiré	Originaire de KARAMA/GIKONGORO. Il a participé à la préparation du plan de génocide	
246.KARERA Augustin	Originaire de MUBUGA/GIKONGORO. Il a participé à la préparation du plan de génocide	
247.BIZIMANA Léonard	Originaire de MUSANGE/GIKONGORO Il a participé à la préparation du plan de génocide	
248. NTAHOBARI Scharoom	Originaire de BUTARE. Fils NTAHOBARI Maurice et NYIRAMASUHUKO Pauline. Il a participé à la préparation du plan de génocide. Il dirigeait toutes les attaques dans la ville de BUTARE	
249.RUNYINYA BARABWILIZA	Originaire de NGOMA/BUTARE Il a participé à la préparation du plan de génocide	
250.BARAVUGA Laurent	Originaire de KIGEMBE/BUTARE Il a participé à la préparation du plan de génocide	
251.MUKARURANGWA Bernadette	Originaire de NDORA/BUTARE Il a participé à la préparation du plan de génocide	
252.NTAHOBARI Maurice	Originaire de MBAZI/BUTARE Il a participé à la préparation du plan de génocide	
253 KABEZA Charles	Originaire de NYARUHENGERI BUTARE Il a participé à la préparation du plan de génocide	
254.NSAGUYE Fébronie	Originaire de NGOMA/BUTARE Il a participé à la préparation du plan de génocide	
255.MUGANGA Joseph	Originaire de HUYE/BUTARE Il a participé à la préparation du plan de génocide	
256.BARAHIRA Pascal	Originaire de NYABISINDU/BUTARE Il a participé à la préparation du plan de génocide	

257.NZAMWITA Fidèle	Originaire de N[illegible] BUTARE. Il a participé à la préparat. du plan de génocide	
258.NZARAMBA Athanase	Originaire de NYAKA BUTARE. Il a participé à la préparation du plan de génocide	
260.HATEGEKIMANA Déo	Originaire de RUHINDA/BUTARE. Il a participé à la préparation du plan de génocide.	
261.RUDAKUBANA Martin	Originaire de RUBASHYA/BUTARE. Il a participé à la préparation du plan de génocide.	
262.BASABOSE Abel	Originaire de [illegible]NDU/BUTARE. Il a participé à la préparation du plan de génocide	
263.NZABONIMANA Callixte alias BWARAYAZE	Originaire de [illegible]E/GITARAMA. Il a participé à la préparation du plan de génocide.	
264.KIGIFI Thomas	Originaire de [illegible]/GITARAMA. Il a participé à la préparation du plan de génocide	
265 IYAKAREMYE Abraham	Originaire de MUSAMBIRA GITARAMA. Il a participé à la préparation du plan de génocide	
266.KANAMA Claver	Originaire de RUNDA/GITARAMA. Il a participé à la préparation du plan de génocide.	
267. NYILIMBIBI Denis alias Tigana	Commerçant - Hôtelier à GITARAMA Ville Propriétaire de Papyrus Hôtel. Leader de la faction MDR POWER à GITARAMA aux côtes de KARAMIRA et SHINGIRO Il a participé à la preparation du plan de génocide et au génocide	
268.NTEZIYAREMYE Désiré	Originaire de RUTOBWE/GITARAMA. Il a participé à la préparation du plan de génocide	
269.MUKANDINDA Marianne	Originaire de KIGOMA GITARAMA. Il a participé à la préparation du plan de génocide	
270.KAMALI Isaac	Originaire de NYABIKENKE/GITARAMA. Il a participé à la préparation du plan de génocide	
271.RUHUMULIZA Phéneas	Originaire de MURAMA/GITARAMA. Il a participé à la préparation du plan de génocide	
272.RUDAHUNGARWA Samson	Originaire de KIGOMA/GITARAMA. Il a participé à la préparation du plan de génocide	
273.MUHUMEDI AFZAL KHAN	Originaire de NYABUBU/GITARAMA. Il a participé à la préparation du plan de génocide	
274 RABIMANA Joseph	Originaire de MUKINGI/GITARAMA. Il a participé à la préparation du plan de génocide	
275 MUSANABERA Jean Marie	Originaire de MAJAGA GITARAMA. Il a participé à la préparation du plan de [illegible]	

276 MUSHYANDI Josej	[illegible] de NTUNGWE/GITARAMA Il a participé à la préparation [illegible] plan de génocide	
277.CATUNZI Augustin	Originaire de NTUNGWE/GITARAMA Il a participé à la préparation du plan de génocide	
278.KAKUZE Emerita	Originaire de TARA/GITARAMA. Il a participé à la préparation du plan de génocide	
279.MPAMO Esdras	Originaire de MASANGO/GITARAMA. Il a participé à la préparation du plan de génocide.	
280.RUTAGANDA Georges	Originaire de MASANGO/GITARAMA. Il a participé à la préparation du plan de génocide	
281.KAYONDO Pierre	Originaire de MURAMA/GITARAMA. Il a participé à la préparation du plan de génocide	
282 NYANDWI Charles	Originaire de MUGASA KIGALI Il a participé à la préparation du plan de génocide Membre de l'escadron de la mort	
283.RUGAMBARARA Juvénal	Originaire de BICUMBI/KIGALI Il a participé à la préparation du plan de génocide	
284.BISENGIMANA Paul	Bourgemestre GIKORO/KIGALI Il a participé à la préparation du plan de génocide	
285.RUHUMULIZA Gaspard	Ministre de l'Environnement et du Tourisme dans le Gouvernement intérimaire auto-proclamé. Penseur du plán de génocide et des massacres.	
286.HABINEZA Jean de Dieu	Ministre du Travail et des Affaires Sociales dans le Gouvernement intérimaire auto-proclamé. Penseur du plan de génocide et des massacres	
287.BICAMUMPAKA Jérôme	Ministre des Affaires Etrangères et de la Coopération dans le Gouvernement intérimaire auto-proclamé Penseur du plan de génocide et des massacres	
288.NSABUMUKUNZI Straton	Ministre de l'Agriculture et de l'Elevage dans le Gouvernement intérimaire auto-proclamé. Penseur du plan de génocide et des massacres	
289.NYIRAMASUHUKO Pauline	Ministre de la Famille et de la Promotion Féminine dans le Gouvernement intérimaire auto-proclamé Penseur du plan de génocide et des massacres Criminelle	
290 RWAMAKUBA André	Ministre de l'Enseignement Primaire et Secondaire Gouvernement intérimaire auto-proclamé Penseur du plan de génocide et des massacres	
291.NDINDABAHIZI Emmanuel	Ministre des Affaires Etrangères dans le Gouvernement intérimaire auto proclamé Penseur du plan de génocide et des massacres	
292 MUSABE Pasteur	Directeur de la Banque Continentale Africaine Rwandaise (BACAR Membre de l'escadron de la mort	
293 Madame KABASHA Philomène	Directrice [illegible] de la Mairie [illegible] escadron de la mort	

294 BARAHINYURA SHYIRAMBERE	Réfugié en Allemagne Penseur du plan de génocide et des massacres
295.BAYINGANA Fidèle	Il a tué beaucoup de gens en Commune KIGOMA
296.MUPENDA	Président de la CDR KACYIRU Penseur du plan de génocide et des massacres
297.SAHVURA B	CDR GISENYI Penseur du plan de génocide et des massacres
298.NDUNGUTSE François	PSD Penseur du plan de génocide et des massacres
299.HATEGEKIMANA Samuel	MRND - KIGALI Ex-Bourgemestre de NGENDA. Penseur du plan de génocide et des massacres.
300.Capitaine MURENZI Evariste	Officier de la garde présidentielle. Penseur du plan de génocide et des massacres
301.KAYONDE Enoch	Leader des miliciens INTERAHAMWE - KIGALI Penseur du plan de génocide et des massacres
302.HANGIMANA F Xavier	MRND - KIGALI Penseur du plan de génocide et des massacres
303.NDAYITABI Suwedi	Responsable des INTERAHAMWE-NYAMIRAMBO. Penseur du plan de génocide et des massacres
304.GITONDA GIHUNGU Hadji	Responsable des jeunes miliciens GITEGA/KIGALI Penseur du plan de génocide et des massacres.
306.GAKUBA Eugène Claude	Responsable des jeunes miliciens MRND KACYIRU/KIGALI Penseur du plan de génocide et des massacres.
307.TURATSINZE Jean de la Croix	Responsable des jeunes miliciens CDR secteur KICUKIRO/KIGALI Penseur du plan de génocide et des massacres
308.KIBATA Djuma	Responsable des jeunes miliciens BIRYOGO/KIGALI Penseur du plan de génocide et des massacres.
309.BUCYIBARUTA Laurent	Préfet de la Préfecture GIKONGORO Penseur du plan de génocide et des massacres
310.BALIYANGA Sylvère	Ex-Préfet RUHENGERI Penseur du plan de génocide et des massacres
311.MANIRAGABA Bernard	Originaire de NKULI/RUHENGERI Il était un des miliciens les plus virulant des INTERAHAMWE. Il a tué beaucoup de gens
312.RUDAKUBANA Anaclet	Préfet de GIKONGO Penseur du plan de génocide et des massacres
313 TWIZEYIMANA	Bourgemestre de MUJYO Penseur du plan de génocide et des massacres
314 NTITIMANA Alexandre	Bourgemestre de [illegible] KIGALI Penseur du plan de génocide et des massacres
315 RUSATSI Donatien	Bourgemestre [illegible] Penseur du plan de génocide et des massacres

316 BALINDA [illegible]	Bourgemestre de RUTONGO Penseur du plan de gé[illegible] des massacres
317.RURERANGEL[illegible] Alexis	Bourgemestre de RUBUNGO Penseur du plan de gé[illegible] des massacres.
318.NTIVUMA François	Bourgemestre de GASHORA. Penseur du plan de génocide et des massacres
319.RUBERANGONDO Stanislas	Bourgemestre de BUTAMWA Penseur du plan de gé[illegible] des massacres
320.KAREKEZI Jean C	Bourgemestre de TARE Penseur du plan de génocide et des massacres
321.KANYAMIGABA A	Sous-Préfet de MURAMBI Penseur du plan de génocide et des massacres
322.BISHOFANINKINDI Mathias	Bourgemestre de NYABIKENKE. Penseur du plan de génocide et des massacres
323.HABARUGIRA J B	Bourgemestre de TABA Penseur du plan de génocide et des massacres
324.HABIMANA Bonaventure	Ex-Secrétaire Général du MRND. Penseur du plan de génocide et des massacres
325.NKURUNZIZA Emmanuel	Bourgemestre de MUGINA Penseur du plan de génocide et des massacres.
326.SEMANYENZI Straton	Bourgemestre de KIGEMBE. Penseur du plan de génocide et des massacres.
327.GASANA J.B	Bourgemestre de NYAKIZU. Penseur du plan de génocide et des massacres
328.NGIRUMPATSE Vincent	Bourgemestre de NYABISINDU. Penseur du plan de génocide et des massacres
329.RABUMUGISHA Michel	Sous-Préfet NYABISINDU Penseur du plan de génocide et des massacres
330.NDIKUMANA Origène	Bourgemestre de KIVU Penseur du plan de génocide et des massacres
331.SIBOMANA Boniface	Bourgemestre de NSHILI Penseur du plan de génocide et des massacres
332.GATABAZI Emmanuel	Bourgemestre de GATARE. Penseur du plan de génocide et des massacres
333.NIYONTEZE Fulgence	Bourgemestre de la Commune MUSHUBATI/ GITARAMA Il était en mission à l'étranger et il s'est précipité de rentrer pour tuer les gens de sa commune
334 NATETE Fulgence	Bourgemestre de KARENGERA Penseur du plan de génocide et des massacres
335 SIMBIZI Stanislas	[illegible] Penseur du plan de génocide et des [illegible]

336 BANGAMWABO	Bourgemestre de GICIYE [illegible] du plan de génocide et des massacres	
337 BIGUMIRA [illegible]	Bourgemestre de GASEKA [illegible] du plan de génocide et des massacres	
338 NZABANITA Théogène	Bourgemestre de RAMBA [illegible] du plan de génocide et des massacres.	
339.KAREMERA Egide	Bourgemestre de NYAMYUMBA Penseur du plan de génocide et des massacres.	
340 MABURA[illegible] Isidore	Bourgemestre de KAYOVE [illegible] du plan de génocide et des massacres	
341 SINDI[illegible]	Bourgemestre de KIBILIRA [illegible] du plan de génocide et des massacres	
342 MAJE[illegible] [illegible]	Bourgemestre de MUSHUBATI [illegible] du plan de génocide et des massacres	
343 MPIRANI Matthias	Bourgemestre de NKULI Penseur du plan de génocide et des massacres	
344.NSABIMANA J B	Bourgemestre de RUHONDO Penseur du plan de génocide et des massacres.	
345.MUNYAZESA E	Bourgemestre de CYERU. Penseur du plan de génocide et des massacres.	
346.BIZIMANA J.Baptiste	Bourgemestre de RUTONDE Penseur du plan de génocide et des massacres.	
347.NIYONSHUTI Melie	Bourgemestre de RUKIRA Penseur du plan de génocide et des massacres.	
348.Capitaine BIZUMUREMYI	Membre de l'escadron de la mort	
349.Major KARANGA	Officier G2 de la Gendarmerie Nationale Retiré de [illegible] nationale Penseur du plan de génocide et des massacres	
350.Major MAGEZA	Protocole à la Présidence de la République Penseur du plan de génocide et des massacres	
351.Colonel KABILIGI Gratien	Comandant des opérations zone RUHENGERI. Penseur du plan de génocide et des massacres	
352.Général Major NDINDILIYIMANA	Chef d'Etat Major de la Gendarmerie Penseur du plan de génocide et des massacres	
353 Colonel RUTA[illegible]	Chargé des renseignements à l Etat Major de la [illegible] Nationale Rôle éminent dans l affaire KARAMBIZ. Penseur du plan de génocide et des massacres	
354.Major MUSEMA Théoneste	Sécurité Présidentielle Penseur du plan de génocide et des massacres	
355.Major BAG[illegible] Augustin	Commandant [illegible] Bataillon GARO [illegible]	

360 Colonel MUBERUKA Félicien	Commandant des opérations [illegible] Penseur du plan de génocide et des massacres	
367 Lieutenant Colonel NZABANITA Innocent	Commandant Camp Colonel [illegible] penseur du plan de génocide et des massacres.	
368 NTILIVAMUNDA Alphonse	Beau-fils du Président HABYARIMANA Actionnaire de la RTLM Membre de l'escadron de la mort	
369 HATALI Augustin	Radio-Rwanda. Penseur du plan de génocide et des massacres	
360 BASABOSE Pierre	Homme d'affaires à Kigali Penseur du plan de génocide et des massacres	
361 SEMANZO Vénuste	Homme d'affaires à Kigali Penseur du plan de génocide et des massacres	
362 KALIMUNDA Pierre	Homme d'affaires à Kigali Penseur du plan de génocide et des massacres	
[illegible] Gaspard	Commerçant à Kigali [illegible] plan de génocide et des massacres	
[illegible]	Préfet de Préfecture BUTARE Penseur du plan de génocide et des massacres.	
365 NIYITEGEKA Dieudonné	Trésorier des INTERAHAMWE Agent de l'INTERFREIGHT KIGALI Originaire de BUTARE Il a participé à la préparation et à l'exécution du génocide et des massacres	
366 KAYISHEMA Fulgence	IPJ KIVUMU. Penseur du plan de génocide et des massacres Il a participé à l'exécutiopn du génocide et des massacres	
367.NSABUMUGISHA Basile	Préfet de Préfecture RUHENGERI. Penseur du plan de génocide et des massacres.	
368 NYILIMBIBI Elie	Préfet de Préfecture BYUMBA Penseur du plan de génocide et des massacres.	
369 BIKINDI Simon	Troupe culturelle IRINDIRO Membre du parti CDR Penseur du plan de génocide et des massacres	
370 KAZARE Faust	Originaire de BYUMBA Fonctionnaire au MINEFRAL [illegible] du plan de génocide et des massacres	
371 MUKUNA Pierre [illegible]	Procureur Général Penseur du plan de génocide et des massacres	
372.BIZIMUNGU Télesphore	Actionnaire de la RTLM Penseur du plan de génocide et des massacres.	
373 RWAMUCYO Eugène	Professeur à l Université Nationale du RWANDA à BUTARE Actionnaire de la RTLM Penseur du plan de génocide et des massacres	
374 BUROKO [illegible]	Actionnaire de la RTLM Penseur du plan de génocide et des massacres	
375 KARUMERA [illegible]	Agent de l'ORINFOR / FV Actionnaire de la RTLM [illegible] plan de génocide et des massacres	

376 NDAMIYE Jean Claude	Commerçant Act... ...e de la RTLM Penseur du plan de génocide et des massacres	
377 SEBATWARE Marcel	Ingénieur Actionnaire de la RTLM Penseur du plan de génocide et des massacres	
378 KAZUNGU Gaspard	Actionnaire de la RTLM Penseur du plan de génocide et des massacres.	
379.MUSHIMITIMANA	Actionnaire de la RTLM Penseur du plan de génocide et des massacres.	
380 RUCOGOZA Emmanuel	Journaliste de la RTLM Penseur du plan de génocide et des massacres	
381 NABYALIMANA Jean	Homme d'affaires Ingénieur ... Président des INTERAHAMWE dans la Ville de KIGALI Penseur du plan de génocide et des massacres	
382 Major NDEREZI	Commandant des opérations militaires à KIBUNGO Penseur du plan de génocide et des massacres	
383.Lieutenant KAREKEZI BATURATURA	Officier FPS KIBUNGO Penseur du plan de génocide et des massacres.	
384 NZABANDORA Célestin	Juriste du parti CDR Penseur du plan de génocide et des massacres.	
385 HATEGEKIMANA Jean	Président du Tribunal de Première Instance à KIGALI Penseur du plan de génocide et des massacres.	
386.NTAHOMVUKIYE Simon	Président de la Cour d'Appel KIGALI Penseur du plan de génocide et des massacres	
387 MISAGO Antoine	Membre du comité CDR Penseur du plan de génocide et des massacres.	
388 NKULIYEYE	Président des INTERAHAMWE Secteur MUHIMA Penseur du plan de génocide et des massacres	
389 Madame NABIMANA Th dite Maman Euphrosine	Conseiller MRND MUHIMA Penseur du plan de génocide et des massacres.	
390.SEBULIKOKO Célestin	Entrepreneur Penseur du plan de génocide et des massacres	
391. SEBATWARE André	Originaire de RUHENGERI. Leader du Parti MDR aux côté de MUREGO Donat Il a participé à la préparation du plan de génocide	
392 NABIMANA Chrisante	MDR-BUGESERA Penseur du plan de génocide	
393 NGIRABATWARE Védaste	Homme d'affaires à Kigali Penseur du plan de génocide et des massacres	
394 SATARAMA ...	Homme d'affaires à Kigali Penseur du plan de génocide et des massacres	
395 ...	... Penseur du plan de génocide et des massacres	

396 Major NGIRA	Ex-OPS DYUMDA. Penseur du plan de génocide et des massacres	
397 MUNYEMANA Justin	Conseiller juridique à la Présidence Penseur du plan de génocide et des massacres	
398 NTIRUGILIMBABAZI Denys	Gouverneur de la Banque NAtionale du RWANDA Penseur du plan de génocide et des massacres	
399.MVUYEKURE Viateur	Directeur Général de la Banque Commerciale du RWANDA. Penseur du plan de génocide et des massacres.	
400 KALINGANIRE Joseph	Professeur à l'Université Nationale du RWANDA . Membre du Forum Paix et Démocratie Penseur du plan de génocide et des massacres.	
401 NSABIMANA Alexis	Professeur à l'Université Nationale du RWANDA. Président du P.R.D (Parti du Renouveau démocratique) et membre du Forum paix et Démocratie Penseur du plan de génocide et des massacres.	
402 NAHIMANA Théoneste	Directeur du Ministre des Finances Membre du comité de direction de la CDR Membre de l'escadron de la mort	
403.NSENGIYUMVA RAFIKI Hyacinthe	Membre du parti PSD Ministre des Travaux Publics et de l'Energie. Penseur du plan de génocide et des massacres.	
404.TURATSINZE	Jeune milicien NYAMIRAMBO. Penseur du plan de génocide et des massacres	
405.KARORERO Charles	Bourgemestre de GAFUNZO. Il a participé à la préparation du plan de génocide et des massacres	
406.Madame Dr. RUSHINGABIGWI Chantal	Membre de l'escadron de la mort.	
407.UZAKUNDI Michel	Agent de l'OCIR - THE Membre de l'escadron de la mort	
408 HABIYAMBERE Joseph	Membre de l'escadron de la mort	
409.RUCAGU Boniface	Député Membre de l'escadron de la mort	
410 RWAMBUKA Fidèle	Ex-Bourgemestre Membre de l'escadron de la mort	
411.BUCYANA Marcin	Président de la CDR Membre de l'escadron de la mort	
412.Major RWABAKIKA Théoneste	Parrain d'Africa Janvier. Membre de l escadron de la mort.	
413 RUBANGIKA Mathias	Ex-comptable Gikomero - Kigali ; assassin	
414 BICAMUMPAKA Hyacinthe	Ex-agent de l'ORINFOR Criminel	

415.MUSHUMBA	Ex-agent de l'ORINFOR. Criminel.	
416.Norbert	Enseignant à l Ecole Primaire RUGUNGA. Criminel.	
417.BIRUSHYA	Commerçant à GIKONDO. Criminel.	
418.KAYIBANDA	C/O Acelier de l Eglise Presbytérienne à GIKONDO. Criminel.	
419.MUNYAZOGEYE Alphonse	Journaliste à l'ORINFOR. Criminel.	
420.SEMUVUMBI Charles	Journaliste à l'ORINFOR. Criminel.	
421.Abbé MUNYESHYAKA Wenceslas	C/O Paroisse Sainte Famille à KIGALI. Criminel.	
422.SAGATWA Elie	Beau-frère du Président HABYALIMANA, membre de l'escadron de la mort	
423 NAHIMANA Théoneste	Agent de la B.N.R. Il était membre actif de la C.D.R Il a participé à la préparation et à l'exécution du plan de génocide	
424. MARC (Gestionnaire du MININTER)	Originaire de GISENYI Il était membre actif de la C.D.R. Il a participé à la préparation et à l'exécution du plan de génocide.	
425. BUHIGIRO Alphone	Originaire de RUHENGERI. Il était membre actif de la C.D.R. Il a participé à la préparation et à l'exécution du plan de génocide.	
426. NTAHOBYIRUSHINTEGE Boniface	Originaire de BUTARE. Membre de la faction MDR Power. Il a participé à la préparation et à l'exécution du plan de génocide.	
427. BUTERA	Président du PECO. Il a participé à la préparation et à l'exécution du plan de génocide.	
428. HABINEZA Jean de Dieu	Ex- Ministre du Travail et Affaires Sociales ; assassin	
429. MUGIRANEZA Prosper	Ex- Ministre de la Fonction Publique ; assassin	
430. NSENGIYUMVA Simon	Né à Gicaye (Gisenyi) ; a planifié et exécuté le génocide des Bagogwe	
431. NIYONTEZE Fulgence	Ex-Bourgmestre de la commune Mushubati ; assassin	
432 KAMUHANDA Jean de Dieu	Ex-Ministre de l'Enseignement Supérieur ; assassin	

433. BIDAHUNGA Ignace	Conseiller au MRND - Planificateur du génocide	
434. MBARUSHIMANA Bonaventure	Procureur près Cour de cassassion ; a demandé plusieurs fois la tête du Président KAVARUGANDA Joseph. Planificateur du génocide et des massacres	
435. GASHEGU Dismas	a massacré beaucoup de tutsi et de hutu modérés à Kicukiro (Kigali, Avril, Mai 94)	
436. KALIMANZIRA	a massacré beaucoup de tutsi et de hutu modérés à Butare sa préfecture d'origine (Avril, Mai, Juin 1994)	
437. HARERIMANA François	PDC - Pouvoir a activement collaboré au génocide et massacres.	
438. KAYINAMURA Célestin	a participé avec NZIRORERA Joseph à la planification et exécution du génocide et des massacres.	
439. NDANGALI Christophe	membre ultra-actif du MRND ; planificateur & exécuteur du génocide et des massacres ; Interahamwe convaincu.	
440. MUNYEMANA Justin	Interhamwe du MRND ; a collaboré à la planification du génocide et des massacres (équipe de la Présidence de la République	
441. MUULIWENANDE	planificateur du génocide et des massacres (équipe de la Présidence de la République)	
442. NTAGIRE Jean	Planificateur et exécuteur du génocide et des massacres (équipe de la présidence de la République)	
443. SERUGENDO J.	Membre actif des Interahamwe du MRND ; a participé à la planification et exécution du génocide et des massacres ; membre fondateur du RTLM.	
444. BINANI-Charles	Membre actif des Interahamwe du MRND ; a planifié et exécuté le génocide et les massacres en collaboration avec l'Etat Major des FAR (Col Bagosora).	
445. LIBANJE Félicien	Membre actif des interahamwe du MRND ; a planifié et exécuté le génocide et les massacres en collaboration avec le col Bagosora.	
446. UWILINGIYIMANA Juvénal	Membre actif des interahamwe du MRND ; a planifié et exécuté le génocide et les massacres en collaboration avec l'Etat Major des FAR (Col Bagosora)	

NOTA BENE : Cette liste de ceux qui ont planifié et exécuté le génocide et les massacres demeure incomplète. Les investigations se poursuivent et la liste sera enrichie au fur et à mesure de ces investigations.

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FROM DPIIDS

OMNIPRESS/UNDEVPRO

Forty-ninth General Assembly GA/8885
Plenary 24 May 1995
104th Meeting (PM)

GENERAL ASSEMBLY ELECTS TWO JUDGES OF INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA, FOLLOWING ELECTION OF THREE JUDGES IN MORNING MEETING

The General Assembly this afternoon, in a fourth round of balloting, elected Yakov A. Ostrovsky of the Russian Federation and William H. Sekule of the United Republic of Tanzania as judges to the trial chambers of the International Criminal Tribunal for Rwanda.

The first three judges elected by secret ballot this morning were Navanethem Pillay of South Africa, Laity Kama of Senegal and T.H. Khan of Bangladesh.

In the third and the fifth rounds of balloting this afternoon none of the candidates obtained the required majority of 94. In statements to the Assembly the representatives of Zambia and the Czech Republic announced that the candidates from their respective countries were withdrawing their candidacies.

The Assembly will meet again on Thursday, 25 May, at 10:30 a.m. to elect the remaining judge to the Tribunal from the following candidates: Lennart Aspegren of Sweden; Lloyd G. Williams of Jamaica/Saint Kitts and Nevis; Anne Marie Stoltz of Norway; and Edilbert Razafindralambo of Madagascar.

END OF SUMMARY
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SRSG EHDIR I. TRIBUNAL

Tribunal file.

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

INTEROFFICE MEMORANDUM

DATE: 24 May 1995

TO: Mr. Ike Minta
Legal Advisor

FROM: Rupert Lewis
Logistics Officer

SRSG : in response to your queries. — Ike 24-5-95

SUBJECT: **ADDENDUM TO THE REPORT ON THE MISSION TO ARUSHA, 16-18 MAY 1995**

1. As per our discussions, please find attached an Addendum which provides the requisite information on outstanding issues which were of concern to the SRSG.

2. Thank you.

Seen thanks & 24/5

cc: Mr. Sammy Bou
Officer-In-Charge
OSRSG

Addendum to the Arusha Mission Report

In response to the need for answers to the following:-

a) What about residential accommodation for judges, staff, etc.?

b) Who protects in Arusha?

c) What about quick telecommunication?

d) What about diplomatic pouch?

e) Travel between Kigali - Arusha. How will witnesses, prisoners be escorted?

An itemized synopsis is hereby provided viz:-

I. Residential Accommodation

The group was briefed on this by Mr. Gilli, who was somewhat non-committal as to the selection of designated areas and buildings.

- Inaccessibility and the poor water supply and electricity had been given as major negatives.

- Thus, unlike the identification of sites for offices and courts, that was not done with regard to the residences for judges and other senior staff.

Hotel accommodation, which was not fully explored, still seems like the most viable immediate option.

II. Protection/Security for Staff

The provision of security for ITR staff in Arusha was not discussed in detail due to the non-finalization of the Headquarters Agreement.

III. Telecommunications

It was reported by Mr. Gilli that an advance team had done an assessment and that a report and recommendations were forthcoming.

Thus, the issue was not revisited, as it seemed that there was not much enthusiasm for a UNAMIR role.

IV. Diplomatic Pouch

As it became evident that the state of developments was such that there was no definitive date as to when Administrative activities in Arusha would begin, the issue of a Pouching system was deferred.

But prior discussions with the UNAMIR Registry and pouch service had provided detailed information as to its ability to facilitate the same for the Tribunal.

V. Travel - Movement of Witnesses and Prisoners

That issue was not developed due to the reluctance on the part of the Tanzanian Government representatives to waive the requirement of payment of fees for entry visas for witnesses and other trial experts.

Of note was the fact that ITR administrative officials were reluctant to pursue the issue of travel between Kigali and Arusha due to their inability to underwrite the potential costs which would be incurred due to the payment for entry visas.

Conclusion

All in all, it should be reiterated that there was a reluctance to pursue most issues due to the absence of both an approved budget for the ITR and the conclusion of the Headquarters Agreement with the Tanzanian Government officials.

Prepared by:

Rupert Lewis
Logistics Officer
UNAMIR
23 May 1995

UNITED NATIONS
INTEROFFICE MEMORANDUM

UNAMIR-MINUAR

NATIONS UNIES
MEMORANDUM INTERIEUR

Seen thanks SA
LA 205

TO: **Ambassador Shaharyar Khan**
SRSG

DATE: 20 May 1995
REF: OSRSG/LA/008

FROM: **I. Minta**
Legal Adviser/OSRSG

SUBJECT: **Report on Mission to Arusha with Judge Rakotomanana, 16-18 May 1995**

Our first meeting on the afternoon of our arrival in Arusha on 16 May, was a courtesy call by Judge Rakotomanana and his team, accompanied by Mr. Angelo (UNDP), on the Managing Director of the Arusha International Conference Centre, Mr. Cuthbert Tenga. We were informed that there had been previous meetings with a technical team from New York, and that arrangements had been made for formal meetings between both sides the following day.

The first formal meeting was held on 17 May in the morning. The UN team was led by Mr. Ralph Zacklin, Deputy Legal Counsel, OLA, and included Judge Rakotomanana's team as well as Mr. H. Gilli, Acting Head of Administration of the Tribunal, Mr. S. Katz from OLA (Lease Expert), and an architect from Nairobi. The Tanzanian team was in two parts: an Inter-Ministerial Task Force led by the Director of Legal Affairs at the Foreign Ministry (which included the Commissioner of Prisons and officials from the Interior and Foreign Ministries), and a team from the Conference Centre.

After the agenda and other preliminary issues were sorted out, we broke up into two groups to discuss the following:

1. The Headquarters Agreement between the United Nations (for the International Tribunal) and the Government of Tanzania, and

2. The Lease Agreement for the Conference Centre.

I joined Judge Rakotomanana and Mr. Zacklin to negotiate the Headquarters Agreement with the Ministry of Foreign Affairs, Prisons, and Interior Officials. The rest of the UN Team met separately with the Conference Centre Team to negotiate the Lease.

Both groups covered much ground but did not complete the discussions. The following is a summary of the state of affairs at the time we left.

Group I: Headquarters Agreement

The following issues remained to be resolved:

1. Whether Tanzanian law can override any rules/regulations of the Tribunal (Tanzanian side to check and respond).

2. Definite list of tax exemptions for the Tribunal (OLA to redraft provision after clarification by Tanzanian side).

3. Whether Tanzanian local staff can enjoy tax exemptions (Tanzania to clarify and an apparent violation of the 1946 Convention, resulting from its tax law, to be resolved).

4. Tanzania to clarify whether local staff can enjoy immunity from national service obligations.

5. Visa formalities for witnesses and other persons summoned by the Tribunal (from abroad): whether applicable fees can be waived.

6. Security arrangements for the Tribunal's premises: respective responsibilities to be defined.

7. Arrangements with regard to the issuance of ID cards (by the Government, for Tribunal and affiliated personnel).

8. Constitutional requirements regarding ratification and entry into force of the Agreement.

The Tanzanian Team is to report to the Government and respond to Mr. Zacklin on how to carry matters forward.

Group II: Lease Agreement

The whole (UN) Team had previously viewed the sections of the Conference Centre to be allocated to the Tribunal, namely, two whole floors of Block B of the Centre, plus an Annex with a large lobby, conference room, and offices.

Group II was to meet again at 3 p.m. on 18 May. At our last plenary prior to the departure of Judge Rakotomanana's team on 18 May, Group II reported the following outstanding issues on the lease:

1. When does rent start accruing?

2. How much refurbishing/rehabilitation of the premises by the landlord?

3. What structural changes and refurbishment are to be made by the UN, and the status of any such improvements at the end of the lease;

4. Status of any movable (but in-built) equipment installed by the UN (such as air-conditioning and communications systems) at end of lease;

5. Who repairs the roof (of the Annex), which is leaking badly? If by the UN, is there to be a rebate against the rent, and on what schedule?

6. How much rent?

The Group was also to take a look at the holding prison for suspects on trial, which is to be refurbished at UN expense. It should be noted that one of the issues that was debated at length in **Group I** was whether Tanzania will offer prison facilities for persons **convicted** by the Tribunal (as distinct from those on trial). Tanzania made it quite clear that they were not interested in that. The question of where prison sentences are to be carried out is to be decided by the Judges under the Statute of the Tribunal.

Overall, as regards the lease, the Architect's estimate was that it will take 6-12 months to make the premises suitable for use by the Tribunal. The cost of refurbishment is also yet to be determined.

Note:

Mr. Rupert Lewis, the Logistics Officer, is to prepare a separate report on Logistics.

ATTENDANTS AICC 17.01.95

NOVOTEL
MOUNT MERU

1. David Mutiso — Mutiso Menezes International Architects / Planning Consultants
2) Rupert Lewis — Logistics Officer — UNAMIR
3). Colin Port — Director of Investigations — I.T.R.
4) Guillaume Tixier — Interpreter — UNAMIR.
5) Hassan Ramadhani — Deputy Prosecutor — ITR
6) Hermenegild H. Gilli — Act. Chief of Admin Rwanda ITR
7) Ralph Zacklin — Deputy Legal Counsel OLA NY
8) Stephen Katz — Senior Legal Officer OLA NY
9) Ile Minuto — Legal Adviser UNAMIR
10) A. Vitor Angelo — UN Accident Coordinator DSS
10) Danford Mpumilwa AICC
10) Cuthbert Tenga, AICC
12) Augustino N. Nanyaro — Prisons Hqrts DSM
13. Francis Nalambuga. — Head of Legal Affairs Section, Ministry of Foreign Affairs and International Cooperation
14. Rogatius A. Shao — MINISTRY OF FOREIGN AFFAIRS AND INTERNATIONAL COOPERATION
PTD

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

INTEROFFICE MEMORANDUM

DATE: 20 May 1995

f. ED/SRSG
To note for
SRSG's info
20/5/95

TO: Mr. Ally Golo, Officer-In-Charge
Administration

FROM: Rupert Lewis
Logistics Officer

SUBJECT: **Report of the Recently Concluded Joint UNAMIR and International Tribunal Mission to Arusha, 16 to 18 May 1995**

Please find attached a copy of my report on the recently concluded Mission to Arusha, Tanzania.

cc: Chief, ISS

Mission Report

I. A combined UNAMIR and the International Tribunal for Rwanda (ITR) delegation travelled to Arusha, Tanzania over the period of 16 to 18 May 1995.

The delegation was comprised of:-

Mr. H. Rakotomanana	-	Deputy Chief Prosecutor, ITR
Mr. Colin Port	-	Director of Investigations, ITR
Mr. Ike Minta	-	Legal Advisor, UNAMIR
Mr. Rupert Lewis	-	Logistics Officer, UNAMIR
Mr. G. Tixier	-	Interpreter (UNV). ITR

II. While in Arusha, the Mission team met and became a part of a larger team of other senior United Nations officials who had travelled both from New York and Dar-es-Salaam, viz:-

Mr. Ralph Zacklin	-	Deputy Legal Counsel, OLA, New York
Mr. Herman H. Gilli	-	Acting Chief of Administration, ITR
Mr. Stephen Katz	-	Senior Legal Officer, OLA, New York
Mr. J. Victor Angelo	-	UNDP Resident Representative and United Nations Resident Co-ordinator in Tanzania
Dr. R. Gordian Rugarabamu	-	Asst. Resident Representative (Programme)

III. A series of meetings and discussions were held with the Government Task Force representatives and a Management Team for the Arusha International Conference Centre (AICC) which had been selected as the site for the Headquarters of ITR.

The United Nations Mission team divided itself into two (2) components, so as to better manage the discussions/negotiations on the Headquarters Agreement and the Lease Agreement.

One component was led by Mr. Zacklin. It dealt with the Headquarters Agreement, while the other was led by Mr. Gilli. It dealt with the Lease Agreement, which is rental of premises for the site for offices, courts, registry, conference rooms, holding cells, judge's chambers, and other administrative quarters for the various activities of the ITR which will be based in Arusha.

IV. I was a party to on-going discussions on the Lease Agreement and other logistics support which will be needed by the ITR.

Arising from later discussions and briefings by Mr. Gilli, it was learnt that a United Nations assessment team, of which he was a part, had spent some time prior to our arrival on 16 May, assessing the needs and logistics requirement of the ITR, as it pertains to the refurbishment of the selected areas of the AICC, in order to facilitate the work of the International Tribunal for Rwanda.

The relevance and impact of that earlier assessment team made the role of the UNAMIR logistics input redundant, as was pointed out by Mr. Gilli, who went on to state that a report will be prepared and presented by that team, and it will be incorporated into the budgetary needs of the ITR.

V. With regard to the designated site of the ITR Headquarters at the Arusha International Conference Centre, the following have been determined:-

- the ground floor and the entire third floor are available for immediate refurbishment and renovations by the ITR administrative body;
- the roof of Building "B" will be repaired by the United Nations (the roof is leaking and needs major repair);
- the air conditioning system will be rehabilitated by the United Nations;
- the United Nations will provide two (2) 500-KVA generators which will provide a continuous source of electricity. (One will be a backup unit);
- Judges and Prosecutors will be situated on one floor;
- the Registrar and the Registry will be on the same floor when the offices have been selected;
- the ground floor will likely house ITR administrative offices, conference rooms, and a court. (Additional courts will be located on either the third or fourth floors);
- financial assistance to offset the costs of re-roofing, relocation of present tenants and management offices, and other modifications, will be made available to the Management of AICC;

- the Government will sign the Lease Agreement as a Witness;

- the Lease Agreement will be in effect until the ITR is dissolved;

- the cost of rental of space by the ITR Headquarters is still to be finalized;

- the Headquarters Agreement for the ITR will be the guiding principle of the Lease Agreement, and as such, its diplomatic coverage will extend to the ITR's use of property in the Host Country.

VI. In conclusion, it should be stated that on 18 May, a joint meeting of all the parties (United Nations Mission personnel, the Government Task Force representatives and the AICC management team) was held. At that meeting information was shared as to the status of discussions and negotiations as they pertained to both the Headquarters and Lease Agreements.

A: <u>On the Lease Agreement</u>

- That there was a tentative understanding to lease/occupy two floors (3 and 4), plus additional areas on the ground floor. These areas are located in Building "B" of Centre Complex.

- Payment of rent and how much will be charged are still to be finalized.

- The costs of refurbishment and renovations: Who pays - the United Nations or the AICC Management?

- What structural changes can the United Nations make to the Conference Centre, and what happens when the Tribunal concludes its work?

- United Nations assets brought into Arusha - generators, telephone and other communications systems, etc.: What happens to them?

- Repairs to the roof: How will this cost be recovered by the United Nations - through delayed repayments of rent deferrals?

B. Headquarters Agreement

Revisions to the draft text have been requested by the Government representatives.

The United Nations (Mr. Zacklin) has revised the text and it will be taken to Dar-es-Salaam for final approval at the Ministerial level.

Of note, is the fact that a "Letter of Understanding" will be prepared by Mr. Zacklin and signed by the Government representatives. That letter will be an acknowledgement of the negotiations which have taken place to date.

Prepared by:

Rupert Lewis
Logistics Officer
UNAMIR
19 May 1995

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

TO: **Judge Rakotomanana**
Mr. A.H. Golo
Mr. P.B. Dessande

FROM: **Sharharyar M. Khan**
SRSG

DATE: 16 May 1995

Shaharyar M. Khan

SUBJECT: ROSG Meeting on Tribunal - 19 May 1995

In the absence of Mr. Ike Minta the Legal Adviser on official duty, Mr. Abu Bakar S. Dao is nominated to act as the Liaison Officer for the meeting. Mr. Dao may establish contact with Deputy Prosecutor's Office, Chief of Protocol, the Government, Chief of Administration and Nairobi to ensure a smooth Conference.

cc: Mr. S.K. Buo
Mr. I. Minta
Mr. A.B.S. Dao

Monsieur Gedeon Rudalunga
Directeur du Protocole d' Etat

Kigali, le 18 mai 1995

Monsieur le Directeur du Protocole,

A cette date, les pays et organismes suivants ont confirmé leur participation à la conférence:

Afrique du Sud:	André van Rensburg, Chef Adjoint de Mission (hôtel)
Allemagne:	Ambassadeur Hummel
Belgique:	Ambassadeur De Coninck M.S. Schelstraete, Premier Secrétaire
Banque Mondiale:	Directeur Adjoint , François Munyantwali
Canada :	High Commissioner au Kenya, Lucy Edwards Claude Latulippe , Chef du Bureau (Kigali)
China:	M. He Siji, Premier Conseiller, Ambassade de Chine
Croix-Rouge:	M. Philippe Lanzarini , chef de la délégation du CICR, Kigali
	M. Jean-François Sangsue, Kigali

possible - CN Kapil

Espagne: Ambassadeur au Kenya , Fermin prieto Castro } probably — Miller Stones

Etats-Unis: John Shattuck, Assistant Secretary of State for Human Rights
David Bernstein, assistant de Chattuck
Roberto Powers, foreign affairs officer

France: Ambassadeur Courbin

Suite, Mme Collins

Japon: Special Representative in Kenya, M. Kondo
Conseiller Morita, Ambassade du Japon au Kenya

Norvege: ✓ ~~Martin Huslid~~, Ambassadeur en Belgique et au Burundi (hôtel)

d. the (Minister)

Pays-Bas: (JAN) Ministre Pronk ~~for~~ Development Cooperation
Mme Van der Heyden (desk officer, La Haye)
Mr Van Loosdrecht Bengt

Royaume-Uni: 3me Secretaire Lesley Craig

Russie: Ambassadeur Anatoli Smirnov

Suisse : Ambassadeur Hans Peter Erismann au Kenya

Suede: Ambassadeur Lars-Goran Engfeldt au Kenya

(sur Hans mais probable Miller Stones)

Tunisia: Col Major Abdelaziz Skik

OUA Ambassadeur Joe Felli
PNUD B Cissé, Représentant
Union Européenne: Achim Kratz , Représentant Permanent

United Nations: Ambassador Khan + 2 autres personnes.

Tribunal International: Procureur Goldstone
Procureur Adjoint Rakotomanana
Colin Port, Directeur des Enquêtes
Gavin Ruxton, conseiller juridique
Catherine Cissé, conseiller juridique
Brenda-Sue Thornton, conseiller juridique

gouvernement : Presidence 2
Ministre des Affaires Etrangeres (1)
Ministre de la rehabilitation (1)
Ministre de la Justice (1)
Ministre du Plan (1)
Ministre des Affaires sociales (1).

43 personnes

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

15 May 1995

TO: Mr. Charles Ouattara, Chief
MOVCON/AirOps

FROM: Kimso Nilsvang, Chief
Civilian Personnel Officer

SUBJECT: **Travel of UNAMIR staff to Arusha to provide support to the Tribunal**

... With reference to the attached SRSG's memo of 10 May 1995 on the above subject, this is to inform you that the following UNAMIR staff members will accompany Justice Rakotomana, Deputy Prosecutor to Arusha:

Mr. Ike Minta, Legal Adviser
Mr. Rupert Lewis, Logistics Officer and
Mr. Guillaume Tixier, Interpreter

I would appreciate your taking necessary action to process the Travel Authorization (PT.8) and charge the related costs to the Tribunal.

cc: SRSG
Justice Rakotomana
ED
LA
Protocol
CCPO

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

TO: **Mr. Ally H. Golo**
OIC, Administration

FROM: **Shaharyar M. Khan**
SRSG

DATE: 10 May 1995

SUBJECT: **UNAMIR's Support to the Tribunal**

Please note that Justice Rakotomana, Deputy Prosecutor wishes UNAMIR's assistance in travelling to Arusha on the morning of 16 May. He will be accompanied by Messrs. Collin Port, Ike Minta our Legal Adviser and a logistics expert from your staff.

They will be looking, among other things, at facilities for their offices including accommodation, telecommunications, pouch, as well as possible transport arrangements between Kigali and Arusha.

They would return on 18 May in the afternoon. Please arrange for the Beechcraft to take them to Arusha on the 16 in the morning.

In addition, Judge Goldstone will be arriving in Kigali on 18 May in the morning from Nairobi. His travel arrangements have yet to be confirmed. However, the Beechcraft that brings him to Kigali could proceed to Arusha to fetch Justice Rakotomana and his party. Judge Goldstone expected date of departure is 20 May 1995.

I have also been informed that Mr.Zacklin from the United Nations Office of Legal Affairs, New York, will be arriving either in Kigali or Nairobi on 20 May. He will be accompanied by another officer. His travel plans are yet to be confirmed.

Finally, Judge Goldstone wishes to call for a funding conference related to the Tribunal on the 19 May, for which a room will have to be made available at the Hotel Mille Collines. As soon as I receive written confirmation on this matter, I will forward it to you. Payment would be made by the Tribunal.

Kindly make the necessary arrangements with the Section Chiefs as required. Our Protocol Office has been informed.

cc: ED
CPO
LA
Movcon/Airops

draft (v2)

AGREEMENT

BETWEEN

THE UNITED NATIONS

AND

THE UNITED REPUBLIC OF TANZANIA

CONCERNING THE HEADQUARTERS OF THE INTERNATIONAL TRIBUNAL

FOR RWANDA

Whereas the Security Council of the United Nations acting under Chapter VII of the Charter of the United Nations inter alia decided, by its resolution 955 (1994) of 8 November 1994, "to establish an international tribunal for the sole purpose of prosecuting persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January 1994 and 31 December 1994";

Whereas the International Tribunal for Rwanda is established as a subsidiary organ within the terms of Article 29 of the Charter of the United Nations;

Whereas the Security Council, by its resolution 977 (1995) of 22 February 1995 decided that "subject to the conclusion of

appropriate arrangements between the United Nations and the Government of the United Republic of Tanzania, the International Tribunal for Rwanda shall have its seat at Arusha";

Whereas the United Nations and the United Republic of Tanzania wish to conclude an Agreement regulating matters arising from the establishment and necessary for the proper functioning of the International Tribunal for Rwanda in the United Republic of Tanzania;

Whereas the United Nations and the United Republic of Tanzania have agreed as follows.

Hereby Agree as follows

ARTICLE I

DEFINITIONS

For the purpose of the present Agreement, the following definitions shall apply:

(a) "the Tribunal" means the International Tribunal for Rwanda established by the Security Council pursuant to its resolution 955 (1994);

(b) "the premises of the Tribunal" means buildings, parts of buildings and areas, including installations and

facilities made available to, maintained, occupied or used by the Tribunal in the host country in connection with its functions and purposes;

(c) "the host country" means the United Republic of Tanzania;

(d) "the Government" means the Government of the United Republic of Tanzania;

(e) "the United Nations" means the United Nations, an international governmental organization established under the Charter of the United Nations;

(f) "the Security Council" means the Security Council of the United Nations;

(g) "the Secretary-General" means the Secretary-General of the United Nations;

(h) "the competent authorities" means national, ~~provincial~~ regional, municipal and other competent authorities under the law of the host country;

(i) "the Statute" means the Statute of the Tribunal adopted by the Security Council by its resolution 955 (1994);

(j) "the Judges" means the Judges of the Tribunal as referred to in Article 12 of the Statute;

(k) "the President" means the President of the Tribunal as referred to in Article 13 of the Statute;

(l) "the Prosecutor" means the Prosecutor of the Tribunal as referred to in Article 15 of the Statute;

(m) "the Registrar" means the Registrar of the Tribunal as appointed by the Secretary-General pursuant to Article 16 of the Statute;

(n) "the staff of the Tribunal" means the staff of the Office of the Prosecutor as referred to in paragraph 3 of Article 15 of the Statute and the staff of the Registry as referred to in paragraph 4 of Article 16 of the Statute;

(o) "persons performing missions for the Tribunal" means persons performing certain missions for the Tribunal in the investigation or prosecution or in the judicial or appellate proceedings;

(p) "the witnesses" means persons referred to as such in the Statute;

(q) "experts" means persons called at the instance of the Tribunal, the Prosecutor, the suspect or the accused to present testimony based on special knowledge, skills, experience or training;

(r) "counsel" means a person referred to as such in the Statute.

(s) "the suspect" means a person referred to as such in the Statute;

(t) "the accused" means a person referred to as such in the Statute;

(u) "the General Convention" means the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946, to which the United Republic of Tanzania acceded on 29 October 1962;

(v) "the Vienna Convention" means the Vienna Convention on Diplomatic Relations done at Vienna on 18 April 1961, to which the United Republic of Tanzania acceded on 5 November 1962;

(w) "the regulations" means the regulations adopted by the Tribunal pursuant to this Agreement.

add another definitional clause
(x) "rules of procedure/evidence of the Tribunal" means ... adopted pursuant to Art ... of the Statute

ARTICLE II

PURPOSE AND SCOPE OF THE AGREEMENT

This Agreement shall regulate matters relating to or arising out of the establishment and the proper functioning of the Tribunal in the United Republic of Tanzania.

ARTICLE III

JURIDICAL PERSONALITY OF THE TRIBUNAL

1. The Tribunal shall possess in the host country full juridical personality. This shall, in particular, include the capacity:

a) to contract;
b) to acquire and dispose of movable and immovable property;
c) to institute legal proceedings.

2. For the purpose of this Article the Tribunal shall be represented by the Registrar.

ARTICLE IV

APPLICATION OF THE GENERAL AND VIENNA CONVENTIONS

The General Convention and the Vienna Convention shall be applicable mutatis mutandis to the Tribunal, its property, funds and assets, to the premises of the Tribunal, to the Judges, the Prosecutor and the Registrar, the staff of the Tribunal and persons performing missions for the Tribunal.

ARTICLE V

INVIOLABILITY OF THE PREMISES OF THE TRIBUNAL

1. The premises of the Tribunal shall be inviolable. The competent authorities shall take whatever action may be necessary to ensure that the Tribunal shall not be dispossessed of all or any part of the premises of the Tribunal without the express consent of the Tribunal. The property, funds and assets of the Tribunal, wherever located and by whomsoever held, shall be immune from search, seizure, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

2. The competent authorities shall not enter the premises of the Tribunal to perform any official duty, except with the express consent, or at the request of, the Registrar or an

official designated by him. Judicial actions and the service or execution of legal process, including the seizure of private property, cannot be enforced on the premises of the Tribunal except with the consent of and in accordance with conditions approved by the Registrar.

3. In case of fire or other emergency requiring prompt protective action, or in the event that the competent authorities have reasonable cause to believe that such an emergency has occurred or is about to occur on the premises of the Tribunal, the consent of the Registrar, or an official designated by him, to any necessary entry into the premises of the Tribunal shall be presumed if neither of them can be reached in time.

4. Subject to paragraphs 1, 2 and 3 above, the competent authorities shall take the necessary action to protect the premises of the Tribunal against fire or other emergency.

5. The Tribunal may expel or exclude persons from the premises of the Tribunal for violation of its regulations.

ARTICLE VI

LAW AND AUTHORITY ON THE PREMISES OF THE TRIBUNAL

1. The premises of the Tribunal shall be under the control and authority of the Tribunal, as provided in this Agreement.

2. Except as otherwise provided in this Agreement or in the General Convention, the laws and regulations of the host country shall apply within the premises of the Tribunal.

3. The Tribunal shall have the power to make regulations operative on the premises of the Tribunal for the purpose of establishing therein the conditions in all respects necessary for the full execution of its functions. The Tribunal shall promptly inform the competent authorities of regulations thus enacted in accordance with this paragraph. [No law or regulation of the host country which is inconsistent with a regulation of the Tribunal shall, to the extent of such inconsistency, be applicable within the premises of the Tribunal.]

4. Any dispute between the Tribunal and the host country, as to whether a regulation of the Tribunal is authorized by this Article, or as to whether a law or regulation of the host country is inconsistent with any regulation of the Tribunal authorized by this Article, shall be promptly settled by the procedure set out in Article XXIX, paragraph 2 of this Agreement. Pending such

settlement, the regulation of the Tribunal shall apply and the law or regulation of the host country shall be inapplicable within the premises of the Tribunal to the extent that the Tribunal claims it to be inconsistent with its regulation.

ARTICLE VII

PROTECTION OF THE PREMISES OF THE TRIBUNAL AND THEIR VICINITY

1. The competent authorities shall exercise due diligence to ensure the security and protection of the Tribunal and to ensure that the tranquility of the Tribunal is not disturbed by the intrusion of persons or groups of persons from outside the premises of the Tribunal or by disturbances in their immediate vicinity and shall provide to the premises of the Tribunal the appropriate protection as may be required.

2. If so requested by the President or the Registrar of the Tribunal, the competent authorities shall provide adequate police force necessary for the preservation of law and order on the premises of the Tribunal or in the immediate vicinity thereof, and for the removal of persons therefrom.

ARTICLE VIII

FUNDS, ASSETS AND OTHER PROPERTY

1. The Tribunal, its funds, assets and other property, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process, except insofar as in any particular case the Tribunal has expressly waived its immunity. It is understood, however, that no waiver of immunity shall extend to any measure of execution.

2. Without being restricted by financial controls, regulations or moratoria of any kind, the Tribunal:

a) may hold and use funds, gold or negotiable instruments of any kind and maintain and operate accounts in any currency and convert any currency held by it into any other currency;

b) shall be free to transfer its funds, gold or currency from one country to another, or within the host country, to the United Nations or any other agency.

ARTICLE IX

INVIOLABILITY OF ARCHIVES AND ALL DOCUMENTS OF THE TRIBUNAL

The archives of the Tribunal, and in general all documents and materials made available, belonging to or used by it, wherever located in the host country and by whomsoever held, shall be inviolable.

ARTICLE X

EXEMPTION FROM TAXES AND DUTIES

1. The Tribunal, its assets, income and other property shall be exempt from all direct and indirect taxes, including, but not limited to, income tax, value added tax, capital tax, corporate tax, trade tax, motor vehicle tax, land tax, property tax, fees, tolls, excise duty, conveyance duty or any other duties, levied by state and other regional or local authorities or otherwise. It is understood, however, that the Tribunal shall not claim exemption from taxes and duties which are, in fact, no more than charges for public utility services provided at a fixed rate according to the amount of services rendered and which can be specifically identified, described and itemized.

2. The Tribunal, its funds, assets and other property shall be exempt from all custom duties in respect of articles imported or

exported by the Tribunal for its official use, including motor vehicles. The Tribunal shall also be exempt from all customs duties, prohibitions and restrictions on imports and exports in respect of its publications.

ARTICLE XI

COMMUNICATIONS FACILITIES

1. The Tribunal shall enjoy, in respect of its official communications, treatment not less favourable than that accorded by the Government to any diplomatic mission in matters of establishment and operation, priorities, tariffs, charges on mail and cablegrams and on teleprinter, facsimile, telephone and other communications, as well as rates for information to the press and radio.

. No official correspondence or other communication of the Tribunal shall be subject to censorship by the Government. Such immunity from censorship shall extend to printed matter, photographic and electronic data communications, and other forms of communications as may be used by the Tribunal. The Tribunal shall be entitled to use codes and to dispatch and receive correspondence and other material or communications either by courier or in sealed bags, all of which shall be inviolable and

shall have the same privileges and immunities as diplomatic couriers and bags.

3. The Tribunal shall have the right to operate radio and other telecommunications equipment on United Nations registered frequencies and those allocated to it by the Government, between the Tribunal offices, installations, facilities and means of transport, within and outside the host country, and in particular with the International Tribunal for the Former Yugoslavia, the Investigative/Prosecutorial Unit in Kigali and the United Nations Headquarters in New York.

4. For the fulfilment of its purposes, the Tribunal shall have the right to publish freely and without restrictions within the host country in conformity with this Agreement.

ARTICLE XII

PUBLIC SERVICES FOR THE PREMISES OF THE TRIBUNAL

1. The competent authorities shall secure, on fair conditions and upon the request of the Registrar or on his behalf, the public services needed by the Tribunal such as, but not limited to, postal, telephone and telegraphic services, electricity, water, gas, sewage, collection of waste, fire protection, local transportation and cleaning of public streets.

2. In cases where electricity, water, gas or other services referred to in paragraph 1 above are made available to the Tribunal by the competent authorities, or where the prices thereof are under their control, [the rates for such services shall not exceed the lowest comparable rates accorded to essential agencies and organs of the Government.] diplomatic Missions and International Organizations; basis of comparison should be diplomatic missions

3. In case of force majeure resulting in a complete or partial disruption of the aforementioned services, the Tribunal shall for Int Org the performance of its functions be accorded the priority given to essential agencies and organs of the Government.

4. Upon request of the competent authorities, the Registrar, or an official designated by him, shall make suitable arrangements to enable duly authorized representatives of the appropriate public services to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers on the premises of the Tribunal under conditions which shall not unreasonably disturb the carrying out of the functions of the Tribunal. Underground constructions may be undertaken by the competent authorities on the premises of the Tribunal only after consultation with the Registrar, or an official designated by him, and under conditions which shall not disturb the carrying out of the functions of the Tribunal.

ARTICLE XIII

FLAG, EMBLEM AND MARKINGS

The Tribunal shall be entitled to display its flag, emblem and markings on the premises of the Tribunal, and to display its flag on vehicles used for official purposes.

ARTICLE XIV

PRIVILEGES AND IMMUNITIES OF THE JUDGES, THE PROSECUTOR AND THE REGISTRAR

1. The Judges, the Prosecutor and the Registrar shall, together with members of their families forming part of their household and who do not have the nationality of the United Republic of Tanzania or Tanzanian permanent residence status in the host country, enjoy the privileges and immunities, exemptions and facilities accorded to diplomatic agents, in accordance with international law and in particular under the General Convention and the Vienna Convention. They shall inter alia enjoy:

a) personal inviolability, including immunity from arrest or detention;

b) immunity from criminal, civil and administrative jurisdiction in conformity with the Vienna Convention;

c) inviolability for all papers and documents;

d) exemption from immigration restrictions, alien registration or national service obligations;

e) the same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign governments on temporary official missions;

f) the same immunities and facilities in respect of their personal baggage as are accorded to diplomatic agents.

2. In the event the Tribunal operates a system for the payments of pensions and annuities to former Judges, Prosecutors and Registrars and their dependants, exemption from income tax in the host country shall not apply to such pensions and annuities.

3. Privileges and immunities are accorded to the Judges, the Prosecutor and the Registrar in the interest of the Tribunal and not for the personal benefit of individuals themselves. The right and the duty to waive the immunity in any case where it can be waived without prejudice to the purpose for which it is accorded shall lie, as concerns the Judges, with the Tribunal in accordance with its rules; as concerns the Prosecutor and the Registrar, with the Secretary-General in consultation with the President.

not explicit enough

ARTICLE XV

PRIVILEGES AND IMMUNITIES OF THE STAFF OF THE TRIBUNAL

1. The staff of the Tribunal shall, regardless of their nationality, be accorded the privileges and immunities as provided for in Articles V and VII of the General Convention. They shall inter alia:

a) enjoy immunity from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue to be accorded after termination of employment with the Tribunal;

b) [enjoy exemption from taxation on the salaries and emoluments paid to them by the Tribunal;] reservation re national's

c) [enjoy immunity from national service obligations;] reservation

d) enjoy immunity, together with members of their families forming part of their household, from immigration restrictions and alien registration;

e) be accorded the same privileges in respect of exchange facilities as are accorded to the members of comparable

rank of the diplomatic missions established in the host country;

f) be given, together with members of their families forming part of their household, the same repatriation facilities in time of international crisis as diplomatic agents;

g) have the right to import free of duties and taxes, except payments for services, their furniture and effects at the time of first taking up their post in the host country.

2. Internationally-recruited staff of P-4 level and above who do not have the nationality of the United Republic of Tanzania or permanent residence status in the host country shall, together with members of their families forming part of their household who do not have the nationality of the United Republic of Tanzania or permanent residence status in the host country, be accorded the privileges, immunities and facilities as are accorded to members of comparable rank of the diplomatic staff of missions accredited to the Government.

3. Internationally-recruited staff, who do not have Tanzanian nationality or permanent residence status in the host country, shall also be entitled to the following additional facilities:

rank of the diplomatic missions established in the host country;

f) be given, together with members of their families forming part of their household, the same repatriation facilities in time of international crisis as diplomatic agents;

g) have the right to import free of duties and taxes, except payments for services, their furniture and effects at the time of first taking up their post in the host country.

2. Internationally-recruited staff of P-4 level and above who do not have the nationality of the United Republic of Tanzania or permanent residence status in the host country shall, together with members of their families forming part of their household who do not have the nationality of the United Republic of Tanzania or permanent residence status in the host country, be accorded the privileges, immunities and facilities as are accorded to members of comparable rank of the diplomatic staff of missions accredited to the Government.

3. Internationally-recruited staff, who do not have Tanzanian nationality or permanent residence status in the host country, shall also be entitled to the following additional facilities:

a) to import free of custom and excise duties limited quantities of certain articles intended for personal consumption in accordance with existing regulations of the host country;

b) to import a motor vehicle free of customs and excise duties, including value-added tax, in accordance with existing regulations of the host country applicable to members of diplomatic missions of comparable ranks;

c) to export with relief from duties and taxes, on the termination of their function in the United Republic of Tanzania, their furniture and personal effects, including motor vehicles;

d) they may be accorded such additional privileges, immunities and facilities as may be agreed upon between the Parties.

4. The privileges and immunities are granted to the staff of the Tribunal in the interest of the Tribunal and not for their personal benefit. The right and the duty to waive the immunity in any particular case, where it can be waived without prejudice to the purpose for which it is accorded shall lie with the Secretary-General.

5. The rights and entitlements referred to in paragraphs 1(g) and 3 above, shall be exercised in accordance with the formal requirements of the host country. These requirements, however, shall not affect the general principles laid down in this Article.

Cf Section 13 of Act 5/66

ARTICLE XVI

PERSONNEL RECRUITED LOCALLY AND ASSIGNED TO HOURLY RATES

Personnel recruited by the Tribunal locally and assigned to hourly rates, shall be accorded immunity from legal process in respect of words spoken or written and acts performed by them in their official capacity for the Tribunal. Such immunity shall continue to be accorded after termination of employment with the Tribunal. They shall also be accorded such other facilities as may be necessary for the independent exercise of their functions for the Tribunal. The terms and conditions of their employment shall be in accordance with the relevant United Nations resolutions, decisions, regulations, rules and policies.

ARTICLE XVII

PERSONS PERFORMING MISSIONS FOR THE TRIBUNAL

1. Persons performing missions for the Tribunal shall enjoy the privileges, immunities and facilities under Articles VI and VII of the General Convention, which are necessary for the independent exercise of their duties for the Tribunal.

2. The privileges and immunities are granted to persons performing missions for the Tribunal in the interest of the Tribunal and not for their personal benefit. The right and the duty to waive the immunity referred to in paragraph 1 above in any particular case where it can be waived without prejudice to the administration of justice by the Tribunal and the purpose for which it is granted, shall lie with the President of the Tribunal.

ARTICLE XVIII

WITNESSES AND EXPERTS APPEARING BEFORE THE TRIBUNAL

1. The host country shall not exercise its criminal jurisdiction over witnesses and experts appearing from outside the host country on a summons or a request of the Tribunal, in respect of acts or convictions prior to their entry into the territory of the host country.

2. The immunity provided for in paragraph 1 above shall cease when the witness or expert having had, for a period of fifteen consecutive days from the date when his or her presence is no longer required by the Tribunal or the Prosecutor, an opportunity of leaving, has nevertheless remained in the territory of the host country, or having left it, has returned, unless such return is on another summons or request of the Tribunal or the Prosecutor.

3. Witnesses and experts referred to in paragraph 1 above shall not be subjected by the host country to any measure which may affect the free and independent exercise of their functions for the Tribunal.

ARTICLE XIX

COUNSEL

1. The counsel of a suspect or an accused who has been admitted as such by the Tribunal, shall not be subjected by the host country to any measure which may affect the free and independent exercise of his or her functions under the Statute.

2. In particular, the counsel shall, when holding a certificate that he or she has been admitted as a counsel by the Tribunal, be accorded:

(a) exemption from immigration restrictions;

(b) inviolability of all documents relating to the exercise of his or her functions as a counsel of a suspect or accused;

(c) immunity from criminal, civil and administrative jurisdiction in respect of words spoken or written and acts performed by him or her in his or her official capacity as counsel. Such immunity shall continue to be accorded to him or her after termination of his or her functions as a counsel of a suspect or accused.

3. This Article shall be without prejudice to such disciplinary rules as may be applicable to the counsel.

4. The right and the duty to waive the immunity referred to in paragraph 2 above in any particular case where it can be waived without prejudice to the administration of justice by the Tribunal and the purpose for which it is granted, shall lie with the Secretary-General.

ARTICLE XX

THE SUSPECT OR ACCUSED

1. The host country shall not exercise its criminal jurisdiction over persons present in its territory, who are to be or have been transferred as a suspect or an accused to the premises of the Tribunal pursuant to a request or an order of the Tribunal, in respect of acts, omissions or convictions prior to their entry into the territory of the host country.

2. The immunity provided for in this Article shall cease when the person, having been acquitted or otherwise released by the Tribunal and having had for a period of fifteen consecutive days from the date of his or her release an opportunity of leaving, has nevertheless remained in the territory of the host country, or having left it, has returned.

ARTICLE XXI

CO-OPERATION WITH THE COMPETENT AUTHORITIES

1. Without prejudice to their privileges and immunities, it is the duty of all persons enjoying such privileges and immunities to respect the laws and regulations of the host country. They also have a duty not to interfere in the internal affairs of the host country.

2. The Tribunal shall cooperate at all times with the competent authorities to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities accorded under this Agreement.

3. The Tribunal shall observe all security directives as agreed with the host country or as issued, in coordination with the United Nations Security Service, by the competent authorities responsible for security conditions within the penitentiary institution where the Tribunal area for detention is located, as well as all directives of the competent authorities responsible for fire prevention regulations.

subject to Tanzania statute

ARTICLE XXII

NOTIFICATION

1. The Registrar shall notify the Government of the names and categories of persons referred to in this Agreement, in particular the Judges, the Prosecutors, the staff of the Tribunal, persons performing missions for the Tribunal, counsel admitted by the Tribunal, witnesses and experts called to appear before the Tribunal or the Prosecutor, and of any change in their status.

2. The Registrar shall also notify the Government of the name and identity of each official of the Tribunal who is entitled to carry fire arms on the premises of the Tribunal, as well as the name, type, calibre and serial number of the arm or arms at his or her disposition.

ARTICLE XXIII

ENTRY INTO, EXIT FROM AND MOVEMENT WITHIN THE HOST COUNTRY

All persons referred to in Articles XIV, XV, XVII, XVIII and XIX of this Agreement as notified as such by the Registrar to the Government shall have the right of unimpeded entry into, exit from, and movement within, the host country, as appropriate and for the purposes of the Tribunal. They shall be granted facilities for speedy travel. Visas, entry permits or licenses, where required shall be granted free of charge and as promptly as possible. The same facilities shall be accorded to persons accompanying witnesses who have been notified as such by the Registrar to the Government.

ARTICLE XXIV

UNITED NATIONS LAISSEZ-PASSER AND CERTIFICATE

1. The Government shall recognise and accept United Nations Laissez-passer as a valid travel document.

2. In accordance with the provisions of Section 26 of the General Convention, the Government shall recognise and accept the United Nations certificate issued to persons travelling on the business of the Tribunal. The Government agrees to issue any required visas on such Laissez-passer or certificates.

ARTICLE XXV

IDENTIFICATION CARDS

1. At the request of the Tribunal, the Government shall issue identification cards to persons referred to in Articles XIV, XV, XVIII, XIX and XX of this Agreement certifying their status under this Agreement.

2. The Security Service of the Tribunal shall maintain photographic and other appropriate records of the suspect and accused persons referred to in Article XXV.

ARTICLE XXVI

SECURITY, SAFETY AND PROTECTION OF PERSONS REFERRED TO IN THIS AGREEMENT

The competent authorities shall take effective and adequate action which may be required to ensure the appropriate security,

safety and protection of persons referred to in this Agreement, indispensable for the proper functioning of the Tribunal, free from interference of any kind.

ARTICLE XXVII

SOCIAL SECURITY AND PENSION FUND

1. The staff of the Tribunal are subject to the United Nations Staff Regulations and Rules and, if they have an appointment of six months' duration or more, become participants in the United Nations Pension Fund. Accordingly, such staff shall be exempt from all compulsory contributions to the social security organizations of the United Republic of Tanzania. Consequently, they shall not be covered against the risks described in the Tanzania social security regulations.

2. The provisions of paragraph 1 above shall apply mutatis mutandis to the members of the family forming part of the household of the persons referred to in paragraph 1 above, unless they are employed or self-employed in the host country or receive Tanzanian social security benefits.

ARTICLE XXVIII

ASSISTANCE IN OBTAINING SUITABLE ACCOMMODATION

The Government of the United Republic of Tanzania shall assist persons referred to in Articles XIV, XV, XVII, XVIII and XIX in obtaining suitable accommodation in the host country.

ARTICLE XXIX

SETTLEMENT OF DISPUTES

1. The Tribunal shall make provisions for appropriate modes of settlement of:

a) disputes arising out of contracts and other disputes of a private law character to which the Tribunal is a party;

b) disputes involving an official of the Tribunal who, by reason of his or her official position, enjoys immunity, if such immunity has not been waived.

2. Any dispute between the Parties concerning the interpretation or application of this Agreement or the regulations of the Tribunal, which cannot be settled amicably, shall be submitted, at the request of either Party to the dispute, to an arbitral tribunal, composed of three members. Each Party shall appoint one

arbitrator and the two arbitrators thus appointed shall together appoint a third arbitrator as their chairman. If one of the Parties fails to appoint its arbitrator and has not proceeded to do so within two months after an invitation from the other Party to make such an appointment, the other Party may request the President of the International Court of Justice to make the necessary appointment. If the two arbitrators are unable to reach agreement, in the two months following their appointment, on the choice of the third arbitrator, either Party may invite the President of the International Court of Justice to make the necessary appointment.

The Parties shall draw up a special agreement determining the subject of the dispute. Failing the conclusion of such an agreement within a period of two months from the date on which arbitration was requested, the dispute may be brought before the arbitral tribunal upon application of either Party. Unless the Parties decide otherwise, the arbitral tribunal shall determine its own procedure. The arbitral tribunal shall reach its decision by a majority of votes on the basis of the applicable rules of international law. In the absence of such rules, it shall decide ex aequo et bono. The decision shall be final and binding on the Parties to the dispute, even if rendered in default of one of the Parties.

Art 30 →

→ p 32 - missing

* constitutional requirements, ratification also, political

Revised text for 11 hrs 18/5, if possible

IN 1512

OFFICE OF LEGAL AFFAIRS

INTERNATIONAL TRIBUNAL FOR RWANDA

Room 0472, DC-2

2, United Nations Plaza, New York, N.Y., 10017
Telephone: (212) 963-3939 * Fax: (212) 963-5847

This seems reasonable.
Shamsy Z

FACSIMILE TRANSMISSION

LA

DATE: 5 May 1995

TO: Judge Honoré Rakotomanana
Deputy Prosecutor
International Tribunal for Rwanda

FAX NUMBER: 3.3090

FROM: Hermann H. Gilli
Acting Chief of Administration
International Tribunal for Rwanda

FAX NUMBER: (212) 963-5847

TOTAL NUMBER OF PAGES (INCLUDING COVER PAGE): 4

SUBJECT: Please see attached.

MESSAGE:

E/D/R CAO

United Nations Nations Unies

INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

TO. Mr. Honoré Rakotomanana
A Deputy Prosecutor
International Tribunal for Rwanda

DATE: 4 May 1995

REFERENCE:

THROUGH.
S/C DE.

FROM. Hermann H. Gilli
DE: Acting Chief of Administration
International Tribunal for Rwanda

SUBJECT:
OBJET: Staff list for the International Tribunal for Rwanda

1. Please refer to the discussions which took place at the meeting held on Friday, 28 April 1995, chaired by Mr. Zacklin and attended by yourself, Mr. Port, Ms Shraga and myself.

2. You will remember the importance Mr. Zacklin put on having a substantially more important office in Kigali than in Arusha, and the doubts he had about an additional office in The Hague. Without solicitation the Budget Division, on inquiring about the detailed report (budget) to be submitted soon, reminded me that the ACABQ had expressed similar doubts.

3. I have consequently drawn up a staff list (enclosed) on which I indicated where posts would be located. The list is based on Mr. Port's proposals for the Prosecutor's budget but should in no way be considered final. Staff can be switched around as needed, but the number of staff for Kigali should essentially stay the same or increase. I would appreciate it if you could go over the list and let me know what changes you propose. As I must calculate the salaries, which are different for the three stations, the matter is now somewhat urgent.

4. J'ai écrit le présent memorandum en anglais pour faciliter la discussion de son contenu avec d'autres fonctionnaires du Tribunal. Aussi je réalise maintenant que votre compréhension de l'anglais est beaucoup plus étendue que vous laissez savoir. Par conséquant, et malgré votre modestie, je crois que le texte ci-dessus ne vous pose peu de difficultés.

cc: Mr. Goldstone
Mr. Port

INTERNATIONAL TRIBUNAL FOR RWANDA

Projected Staff List 1995

	Arusha	Kigali	The Hague
The Chambers			
Judges (USG)	6	0	5*
Secretaries (OL)	3	0	3*
	3	0	3

Total Chambers: 11 Judges and 6 General Service staff

	Arusha	Kigali	The Hague
Prosecutors Office			
Prosecutor (USG)	0	0	1*
Deputy Prosecutor (D-2)	0	1	0
Trial Attorneys (D-1)	3	0	0
Chief of Investigations (D-1)	0	0	1
Coordinators (P-5)	1	1	0
Legal Adviser (P-5) (Int. law)	1	0	0
Coordinator (P-4) (Rwanda)	0	0	1
Legal Adviser (P-4) (Compar. law)	1	0	0
Team leader (P4)	1	3	2
External Relations/Press Officer	0	1	0
Legal Officers (P-3)	3	0	0
Legal Adviser (P-3) (Liaison w/Pros)	1	0	0
Scientific Support Manager (P-4)	0	1	0
Translators/Interpreters (P-4)	1	0	1
Translators/Interpreters (P-3)	9	9	2
Investigators (P-3)	8	30	8
Investigators (P-2)	12	7	4
Investigations Support Off. (P-2)	0	0	1
Data Processors/Analysts (P-1)	8	0	0
Secretaries (OL)	6	6	2
	55	59	23

Total Prosecutors Office: 137 (123 professional and 14 General Service staff

* Shared 50/50 with the International Tribunal for the Former Yugoslavia.

	Arusha	Kigali	The Hague
Registry			
Registrar (ASG)	1	0	0
Legal Unit:			
Deputy Registrar (D-1)	1	0	0
Senior Legal Officer (P-5)	1	0	0
Legal Officer (P-4)	1	0	0
Information Officer (P-4)	1	0	0
Secretaries (OL)	3	0	0
Administrative Office			
Chief of Administration (P-5) . .	1	0	0
Finance Officer (P-4)	1	0	0
Personnel Officer (P-4)	1	0	0
Payroll Officer (P-3)	1	0	0
Building Management Officer (P-3)	1	0	0
Computer Applications Officer (P-3)	1	0	0
Chief of Security (P-3).	1	0	0
Associate Administrative Officer (travel and transportation) (P-2)	0	1	0
Associate Administrative Officer (recruitment and personnel) (P-2)	0	0	1
Finance clerks (PL)	1	1	0
Personnel Clerk (PL)	1	0	0
Travel Clerk (OL)	0	0	1
Secretaries (OL)	3	0	0
Security Guards (OL)	20	0	0
	40	2	2

Total Registry: 44 (14 professional and 30 General Service staff)

Of the General Service staff:
3 Administrative Assistants are on assignment
2 Secretary/Clerks are on assignment
25 Secretarial/Security are local

Grand total: 197 (11 Judges, 137 professional staff and 50 General Service staff)

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

TO: **Mr. Ally H. Golo**
OIC, Administration

FROM: **Shaharyar M. Khan**
SRSG

DATE: 10 May 1995

SUBJECT: **UNAMIR's Support to the Tribunal**

Please note that Justice Rakotomana, Deputy Prosecutor wishes UNAMIR's assistance in travelling to Arusha on the morning of 16 May. He will be accompanied by Messrs. Collin Port, Ike Minta our Legal Adviser and a logistics expert from your staff.

They will be looking, among other things, at facilities for their offices including accommodation, telecommunications, pouch, as well as possible transport arrangements between Kigali and Arusha.

They would return on 18 May in the afternoon. Please arrange for the Beechcraft to take them to Arusha on the 16 in the morning.

In addition, Judge Goldstone will be arriving in Kigali on 18 May in the morning from Nairobi. His travel arrangements have yet to be confirmed. However, the Beechcraft that brings him to Kigali could proceed to Arusha to fetch Justice Rakotomana and his party. Judge Goldstone expected date of departure is 20 May 1995.

I have also been informed that Mr.Zacklin from the United Nations Office of Legal Affairs, New York, will be arriving either in Kigali or Nairobi on 20 May. He will be accompanied by another officer. His travel plans are yet to be confirmed.

Finally, Judge Goldstone wishes to call for a funding conference related to the Tribunal on the 19 May, for which a room will have to be made available at the Hotel Mille Collines. As soon as I receive written confirmation on this matter, I will forward it to you. Payment would be made by the Tribunal.

or [redacted] or Trafipro

Kindly make the necessary arrangements with the Section Chiefs as required. Our Protocol Office has been informed.

cc: ED
CPO
LA
Movcon/Airops

check-in 5:45 AM
dep 6:45 A

URGENT

UNITED NATIONS NATIONS UNIES

ASSISTANCE MISSION FOR RWANDA MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

OUTGOING FAX NO.: 3057

room 501

NOVOTEL MT. MERU
INTERNAL EXTENSIONS

OPERATOR.....000/7000/2004
RECEPTION.....2008
ROOM SERVICE.....2035/2036
LAUNDRY.....2027
SECURITY.....2039

P1 SP SA 13.5 LA

1. Nous voudrions vous informer que le Juge Honoré RAKOTOMANANA arrivera à Arusha dans la matinée du 16 mai 1995 par un avion des Nations Unies en provenance de Kigali. Il sera accompagné de Monsieur Colin PORT, Directeur, Section des Investigations, Tribunal International, Kigali; Monsieur Isaac MINTA, Conseiller Juridique, Bureau du Représentant Spécial, Kigali; Monsieur Rupert B. LEWIS, Logisticien, Administration, MINUAR, Kigali.

2. L'Objet de sa mission se rapporte à la résolution S/Rés/977(1995) du 22 février 1995 et à la visite en Tanzanie la semaine prochaine de la délégation du Bureau Juridique des Nations Unies à New York. Reconnaissant bien vouloir en informer le Gouvernement.

3. Les intéressés auront besoin d'un visa d'entrée en Tanzanie à leur arrivée à Arusha. Ils sont titulaires des documents de voyage suivants:

* Juge H. RAKOTOMANANA (Malgache): Passeport diplomatique N° 9307179 valide jusqu'au 15/6/95; Laissez-passer des Nations Unies N° 04068 valable jusqu'au 15/04/96.

SRSG E/DIR

URGENT

when arriving in Kigali (?)

* M. Colin PORT: (Britannique): Laissez-passer des Nations Unies N° 39565 - Validité à confirmer.

* M. Isaac K. MINTA: (Ghanéen): Passeport national N° 852484 . valide jusqu'au 20/01/98, Laissez-passer des Nations Unies N° 28750 valide jusqu'au 8/07/95.

* M. Rupert B. LEWIS: (Guyanais): Passeport national N° 0721019 valide jusqu'au 16/02/2000; Laissez-passer des Nations Unies N° 48279 valide jusqu'au 30/06/95. Nous vous remercions pour toute action que vous voudrez bien prendre auprès des services compétents tanzaniens sur ce point.

4. Nous vous saurions également gré de bien vouloir assurer accueil à l'arrivée, transport de l'aéroport à l'hôtel et durant le séjour et réservation de 4 chambres d'hôtel pour le compte des intéressés.

or more ?

(1)

5. Les éléments relatifs à l'avion qui les transportera de Kigali à Arusha sont les suivants:

- Commandant de Brd:	M. CAMPOS
- Equipage:	1 (un) membre
- Type d'avion:	Beechcraft 200
- Signalisation:	UN369
- N° Enrégistrement:	N630VB
- Passagers:	4 (quatre)
- Opérateur:	MINUAR/UNAMIR

what actual capacity (9)

Les heures de départ de Kigali et d'arrivée à Arusha vous seront communiquées ultérieurement. Espérons que ces informations vous permettront de requérir auprès des autorités locales l'autorisation de survol du territoire national tanzanien et d'atterrissage à Arusha.

6. D'avance nous vous remercions de votre coopération.

- Gilo, OC Admin Unit Trib, was here Tuesday (?)

- Arusha, 2 purposes
  Hdq Admin | Hq Agreement ?; (Mr Gilo was in Arusha Tuesday night, Zeckelin also in Arusha tomorrow they have Pchmitziana with them

- tel
- fax
- crypt
- purch

} points to/from

AIDE MEMOIRE

From: I. Minta

To: Amb. M. Conde

Re: SRSG's trip to Arusha

March 1, 1995

The SRSG had originally planned to visit Arusha in February to inspect the proposed premises of the International Tribunal for Rwanda. But the UNDP Resident Co-ordinator in Dar suggested that the visit take place after 16 March because Parliament is in session in Dodoma and senior Government Officials would be unavailable.

Now the SRSG wants to undertake that trip next week, with Mr Honore Rakotomanana, the Deputy Prosecutor of the Tribunal. He does not mind if they are not met by a Senior Government Official, so long as someone from State Protocol or other appropriate Office is able to meet them and show them around. He would like the trip to be arranged for any day from 8th to 10th March. As Ms Rivero as well as myself will be away, the SRSG and Mr Rakotomanana are to be accompanied by Ms Ladan Rafii.

It will be greatly appreciated if the necessary arrangements could be made with State Protocol or Foreign Affairs in Dar.

OFFICE OF LEGAL AFFAIRS

INTERNATIONAL TRIBUNAL FOR RWANDA

Room 0472, DC-2
2, United Nations Plaza, New York, N.Y., 10017
Telephone: (212) 963-3939 * Fax: (212) 963-5847

FACSIMILE TRANSMISSION

DATE: 27 April 1995

TO: Justice Richard Goldstone
Prosecutor
ICTY/ITR

FAX NUMBER: (31) (70) 344-5358

FROM: Hermann H. Gilli
Acting Chief of Administration
International Tribunal for Rwanda

FAX NUMBER: (212) 963-5847

TOTAL NUMBER OF PAGES (INCLUDING COVER PAGE): 4

SUBJECT: Please see the attached

Message:

27 APR. 1995
950055

United Nations Nations Unies

INTER-OFFICE MEMORANDUM MEMORANDUM INTERIEUR

Hans Corell
:er-Secretary-General for Legal Affairs
Legal Counsel

DATE: 26 April 1995

REFERENCE:

Hermann H. Gilli
Acting Chief of Administration
International Tribunal for Rwanda

OBJET:

OBJET: Proposed schedule for Arusha mission

1. Set out below is the proposed schedule for the team which is to inspect the Arusha Conference Centre for the purpose of preparing and setting up the accommodations for the Chambers and the Registry of the International Tribunal for Rwanda.

2. Mr. Zacklin, Deputy to the Under-Secretary-General for Legal Affairs, will be in charge of the mission. A technical group, consisting of a buildings expert from Buildings Management Service (to be designated), a procurement officer (to be designated) and Hermann Gilli (Acting Chief of Administration) will arrive in Arusha on Tuesday evening, May 9, to begin inspections on Wednesday, May 10. They will be joined by three experts designated by Buildings Management Service coming from Nairobi. The Deputy Prosecutor and the Chief of Investigations of the Prosecutors Office will join the Group from Kigali or The Hague. An expert in communication equipment (to be designated by the Department of Peace-keeping operations) will also join the team from his duty station in Africa. Mr. Zacklin, Mr. Katz (Senior Legal Officer) and Mr. Tarassenko (Legal Officer) will arrive in Arusha sometime at the beginning of the week starting 15 May for the negotiations and eventual signing of a headquarters agreement and a rental contract.

3. Upon completion of the work in Arusha, participants will return to their duty stations except for Messrs Zacklin and Gilli, who will travel to Kigali for discussions with UNAMIR and other officials concerning living quarters, office space, communications equipment, etc.

4. Participants will be informed of the above by copy of this memorandum and requested to consult the attached schedule of flights into and out of Arusha and Kigali and let me know which flights they will take for the purpose of establishing Travel Authorizations as soon as possible.

Copy to: ✓Mr. Goldstone Mr. Port
Mr. Zacklin Mr. Katz
Mr. Sardegna Mr. Tarassenko
Mr. da Costa Mr. Lasiuk

Flight schedules to Arusha

Planes leave from:

Amsterdam to Arusha Tuesdays and Saturdays at 10:30 a.m. and arrive in Arusha at 8:10 p.m.

Paris to Arusha with stop-over in Nairobi on Tuesdays and Fridays at 11:55 p.m. and arrive in Arusha at 11:10 a.m. the next day.

Arusha to Amsterdam Tuesdays and Saturdays at 9:10 p.m. and arrive at Amsterdam at 8:00 a.m.

Arusha to Paris with stop-over in Nairobi on Wednesdays at 8:55 p.m. to arrive in Paris at 6 a.m.

There are daily flights New York to Amsterdam leaving Kennedy at 6:25 p.m. and arriving in Amsterdam at 7:40 a.m. and vice-versa leaving Amsterdam at 7:20 p.m. arriving in New York at 9:15 p.m. There is another flight leaving Amsterdam at 2:40 p.m. and arriving New York at 4:35 p.m.

Daily flights New York to Paris leave Kennedy at 7 p.m. to arrive in Paris at 8:10 a.m. and vice-versa leaving Paris at 9:50 p.m. arriving at New York at 10:50 p.m.

Flight schedules to Kigali

There are daily flights New York to Brussels leaving New York at 7:15 p.m. and arriving Brussels at 8:15 a.m.

Planes leave from:

Brussels to Kigali on Mondays, Thursdays and Fridays.

Mondays, leaving Brussels at 10:10 a.m. and arriving Kigali at 6:05 p.m.

Thursdays, leaving Brussels at 10:05 p.m. and arriving Kigali at 6:05 a.m.

Fridays, leaving Brussels at 9:45 p.m. and arriving Kigali at 5:45 p.m.

Planes leave from:

Kigali to Brussels on Mondays, Fridays and Saturdays.

Mondays, leaving Kigali at 7:05 p.m. and arriving Brussels at 6 a.m. next day. Stop-over in Nairobi.

Fridays, leaving Kigali at 7:05 a.m. and arriving Brussels at 5:15 p.m. Stop-over in Uganda.

Saturdays, leaving Kigali at 6:45 a.m. and arriving Brussels 5:40 p.m. Stop-over in Nairobi.

There are daily flights Brussels to New York. Sabena Airlines leaving Brussels at 11:40 a.m. and arriving New York at 1:30 p.m. American Airlines leaving Brussels at 11:00 a.m. and arriving New York at 1:00 p.m.

COPY URGENT

UNITED NATIONS

International Tribunal for Rwanda
Office of the Prosecutor
Kigali

NATIONS UNIES

Tribunal International pour Rwanda
Bureau du Procureur
Kigali

SRSG\NV\70\95 **NOTE VERBALE**

ATTENTION SRSG.

L. Dep. Rakoto souhaite vous voir urgemment avant que la note verbale soit envoyée au Gouvernement.

C.P. 10/05/95
DEMANDÉ

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... General of the United
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UNITED NATIONS

International Tribunal for Rwanda
Office of the Prosecutor
Kigali

NATIONS UNIES

Tribunal International pour Rwanda
Bureau du Procureur
Kigali

NOTE VERBALE

SECOND DRAFT

The United Nations Assistance Mission for Rwanda (UNAMIR) presents its compliments to the Government of the Republic of Rwanda and has the honour of informing it of the following facts.

With the cooperation of the Special Representative of Secretary General of the United Nations, the Prosecutor of the International Tribunal for Rwanda is in the process of establishing his operations in Rwanda, and is conscious of the pressing need for his office to make progress and to bring to justice those persons responsible for crimes within the Tribunal's jurisdiction. In order to expedite the work of the Tribunal, members of the Rwanda Operational Support Group (ROSG) have expressed their willingness to meet to discuss the Tribunal's current resources and ways in which the ROSG might provide financial and other support for the International Tribunal.

The Prosecutor considers that it would be appropriate for the ROSG to meet in Rwanda and he accordingly wishes to enquire whether the Government of the Republic of Rwanda would agree that a one-day conference of the Rwanda Operational Support Group be held in Kigali on Friday 19 May 1995 for this purpose.

Should the Government of the Republic of Rwanda agree, the arrangements for the conference will be made by the Special Representative of the Secretary General in conjunction with staff of the International Tribunal.

The United Nations Assistance Mission for Rwanda (UNAMIR) wishes to take this opportunity to renew its assurance to the Government of the Republic of Rwanda of its highest consideration.

Done at Kigali, 10 May 1995

Ministry of Foreign Affairs
and of Co-operation
Kigali, Rwanda.

UNITED NATIONS NATIONS UNIES

ASSISTANCE MISSION FOR RWANDA MISSION D'ASSISTANCE AU RWANDA

UNAMIR MINUAR

NOTE VERBALE

SRSG/NV/63/95

La Mission des Nations Unies pour l'Assistance au Rwanda (MINUAR) présente ses compliments au Ministère des Affaires Etrangères et de la Coopération Internationale de la République Rwandaise et a l'honneur de l'informer que le Juge Honoré Rakotomanana, Substitut du Procureur Général près le Tribunal Pénal International pour le Rwanda (ICTR) retournera à Kigali le lundi 8 Mai 1995 par le vol régulier de Sabena N° 565 de 18h05. Il est accompagné de trois collaborateurs dont ci-après les noms:

Mmes. Catherine CISSE, Brenda-Sue THORNTON
et Mr. Gavin RUXTON.

Les intéressés sont tous titulaires de passeport national et d'un laissez-passer des Nations Unies.

La MINUAR serait très reconnaissante au Ministère de bien vouloir demander aux Autorités compétentes des Services de l'Immigration de faciliter l'entrée et le séjour sur le territoire national rwandais des fonctionnaires internationaux ci-dessus cités à leur arrivée à Kigali.

La Mission des Nations Unies pour l'Assistance au Rwanda saisit cette occasion pour lui renouveler les assurances de sa très haute considération.

UNITED NATIONS UNAMIR

Fait à Kigali le 5 Mai 1995

Ministère des Affaires Etrangères
et de la Coopération International
Kigali
RWANDA

IN 1510

OFFICE OF LEGAL AFFAIRS

INTERNATIONAL TRIBUNAL FOR RWANDA

Room 0472, DC-2

2, United Nations Plaza, New York, N.Y., 10017
Telephone: (212) 963-3939 * Fax: (212) 963-5847

FACSIMILE TRANSMISSION

DATE: 5 May 1995

TO: Mr. Ally Golo
Officer in Charge of Administration
UNAMIR / Kigali, Rwanda

FAX NUMBER: 3.3090

FROM: Hermann H. Gilli
Acting Chief of Administration
International Tribunal for Rwanda

FAX NUMBER: (212) 963-5847

TOTAL NUMBER OF PAGES (INCLUDING COVER PAGE): 1

SUBJECT:

MESSAGE: Mr. Golo,

Mr. Zacklin and I will arrive Nairobi on Saturday morning, 20 May 1995, to take the UNAMIR flight in the afternoon to Kigali. I would appreciate it if you could arrange it.

we would have 1.
arrange an afternoon flight.
2
EIDIR CAO MCC
LA
CAO

file

062 Received Message 18:12 25/04/95

ZCZC KGMS2321 DPIC2069
SP KGM
.NEWYORK (PKFOD) 25 1914Z
BT

FROM DPIIDS

UNITED
NATIONS

S

Agnes
Please make copy for Nuria and Ladan. Thanks.
Ilk. 26/4/95
2684

Security Council
Distr.
GENERAL

S/RES/989 (1995)

24 April 1995

RESOLUTION 989 (1995)

Adopted by the Security Council at its 3524th meeting,
on 24 April 1995

The Security Council,

Recalling its resolution 955 (1994) of 8 November 1994,

Having decided to consider the nominations for Judge of the International
Tribunal for Rwanda received by the Secretary-General before 7 April 1995,

Establishes the following list of candidates in accordance with
Article 12 of the Statute of the International Tribunal for Rwanda:

(SRSG) FC CAO E/DIR

Mr. Lennart ASPEGREN (Sweden)

Mr. Kevin HAUGH (Ireland)
Mr. Leity KAMA (Senegal)

Mr. T. H. KHAN (Bangladesh)

Mr. Wamalungwe MAINGA (Zambia)

Mr. Yakov A. OSTROVSKY (Russian Federation)
Mr. Navanethem PILLAY (South Africa)

Mr. Edilbert RAZAFINDRALAMBO (Madagascar)

Mr. William H. SEKULE (United Republic of Tanzania)

Ms. Anne Marie STOLTZ (Norway)
Mr. Jiri TOMAN (Czech Republic/Switzerland)

Mr. Lloyd G. WILLIAMS (Jamaica/Saint Kitts and Nevis)

END OF TRANSMISSION
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Tribunal file

UNITED NATIONS NATIONS UNIES | TELEGRAPH

PAGE 1 OF 3

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DRAFTER / REDACTEUR: Zacklin	DEPT.: Legal	ROOM / BUREAU: S-3427B	EXT. / POSTE: 3-5342

Fax No. 3- 3090

12 PITCH - 65/12 | 10 PITCH - 65/10

TRANSMITTED BY FACSIMILE

TO: Mr. Shaharyar M. Khan
Special Representative
of the Secretary-General for Rwanda
Kigali

LA 800
22.4

Please see attached.

Regards,

Ralph Zacklin
Director and Deputy
to the Under-Secretary-General
Office of Legal Affairs

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CLEARED BY / VISE PAR

AUTHORIZED BY / AUTORISE PAR

SIGNATURE

DATE: 21 April 1995

NAME AND TITLE (PLEASE TYPE) / NOM ET QUALITE (A DACTYLOGRAPHIER)

COMPLETED

United Nations Nations Unies

INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

TO: Mr. Shaharyar Khan
A: SRSG, UNAMIR
Kigali, Rwanda

DATE 21 April 1995

REFERENCE

THROUGH
S/C DE:

FROM Ralph Zacklin, Director and
DE: Deputy to the Under-Secretary-General
Office of Legal Affairs

SUBJECT International Tribunal for Rwanda
OBJET:

1. This is in reference to your cable of 13 April 1995 to which you attached an enquiry received from UNDP/Arusha regarding the International Tribunal for Rwanda, and more particulary, the election of judges, appointment of a registrar, the budget and premises of the Tribunal and the approximate date of its first session.

A. Election of judges

2. On 7 March 1995, the Legal Counsel invited on behalf of the Secretary-General all States Members of the United Nations and non-Member States maintaining permanent observer missions at United Nations Headquarters to nominate, within 30 days of the date of invitation, candidates for judges of the International Tribunal. On 10 April 1995 the Secretary-General transmitted, in accordance with Article 12 of the Statute of the Tribunal a list of 21 nominees received by 7 April 1995.

3. According to Article 12 of the Statute the election of the judges will take place in two-stages. In the first stage the Security Council will establish from the nominations received a list of not more than eighteen and not less than twelve nominations, and forward the list to the General Assembly. From the list submitted to it, the Assembly shall then elect six judges. The Security Council is expected to establish the short list of candidates by early next week.

B. Appointment of a Registrar

4. A Registrar has not yet been appointed. We note that according to Article 16 of the Statue of the Tribunal, the Registrar will be appointed by the Secretary-General upon recommendation of the President of the Tribunal. The President will be elected by the judges, in accordance with Article 13(1) of the Statute, probably at their first session.

5. A core Administrative Unit has been established in UN Headquarters. It presently consists of a Chief Administrative Officer and two auxiliary staff. Recruitment of additional staff (financial and personnel officers) is now underway. It is anticipated that the Administrative Unit will be relocated to the Prosecutor's Office in Kigali and later to the seat of the Tribunal in Arusha.

C. Financing of the Tribunal

6. The Advisory Committee on Administrative and Budgetary Questions (ACABQ) having considered the request for spending authority for the start-up costs of the establishment of the International Tribunal, has authorized the Secretary-General to enter into commitments of up to $2,914,900 for the period of 1 January to 31 March 1995, pending the preparation of a full budgetary submission.

D. Premises of the Tribunal

7. In a letter of 10 April 1995, the Government of the United Republic of Tanzania confirmed its willingness to host the seat of the International Tribunal at Arusha and to receive a United Nations mission to discuss the practical and legal arrangements pertaining to the establishment of the Tribunal. Drafts of the Headquarters Agreement and the Lease Agreement were forwarded to the Government of Tanzania for comments. During the second and third weeks of May 1995 a UN technical-legal mission is scheduled to arrive at Arusha to survey the space availability, communication facilities etc. and to conclude the aforementioned legal instruments pertaining to the establishment of the Tribunal.

8. The date for the commencement of trial proceedings cannot evidently be ascertained at this point. It is anticipated, however, that the judges will convene for an extraordinary session soon after their election and before taking of office, in order to adopt their Rules of Procedure and Evidence.

cc. Ms. Elisabeth Lindenmayer

UNITED NATIONS NATIONS UNIES | TELEGRAPH

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WE RECEIVED: IN 1292

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DATE: 21 April 1995

MATTER/REDACTEUR	DEPT.	ROOM/BUREAU	EXT./POSTE	ALLOTMENT / COMPTE	FILE / DOSSIER
Zacklin	Legal	3427	5342	Amt	

12 PITCH - 68/12 | 10 PITCH - 85/10

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Mr. Richard Goldstone
Prosecutor
International Criminal Tribunal
for the former Yugoslavia
The Hague

A rough letter; can we answer questions 1–4? SG 22.4 Mr Minta

Fax No. 31 70 344 5345

Mr. Goldstone,

Thank you for your fax of 13 April in which you proposed revised dates for the visit of Mr. Rakotomanana, Mr. Port and yourself. As far as my own schedule is concerned I can accommodate myself to these dates although as of 28 April I shall be in charge of the Office and therefore less available for meetings. However, it is important that you identify clearly the subjects you wish to discuss since Mr. Gilli will require this information in order to set up meetings with appropriate officials in departments other than the Office of Legal Affairs.

I should also like to raise with you the following matter. In recent weeks we have been receiving numerous inquiries from various quarters including Member States, United Nations agencies and NGOs regarding the failure to implement Security Council resolution 955 and the Secretary-General's reports on its implementation. Since we do not have a clear picture of what has transpired to delay the establishment of an Office of the Prosecutor in Kigali I would be grateful if, in order to assist us in responding to such queries you could let me have the following information:

1) How many staff members of all grades are presently on the manning table of the Office of the Prosecutor for Rwanda?

2) Where are these people presently located? Hague

1010

DERNIERE LIGNE DU TEXTE

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SIGNATURE: R.Zacklin, Director and Deputy to the USG, OLC

DATE: 21 April 1995

NAME AND TITLE (PLEASE TYPE) / NOM ET QUALITE (A DACTYLOGRAPHIER)

COM.-87

NAME: KIGALI ● RWANDA ·95 4 21 · 20 04 · 21290364 · COMMCEN: # 2

UNITED NATIONS NATIONS UNIES **TELEGRAPH**

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DRAFTER / REDACTEUR: Zacklin	DEPT.: Legal	ROOM / BUREAU: 3427	EXT. / POSTE: 5342	

12 PITCH - 85/12 → 10 PITCH - 60/10 →

3) Is there a representative of this Office in Kigali at the present time and if so at what level? None.

4) What is your present expectation for the deployment of the Office of the Prosecutor in Kigali as foreseen in the Secretary-General's report pursuant to paragraph 5 of Security Council resolution 955 (1994) (S/1995/134 of 13 February 1995).

For our part, whenever these questions have been raised with us we have responded that the difficulties relating to the establishment of anything more than an occasional presence in Kigali of the Prosecutor Office is due to practical and logistical problems such as lack of accommodation. However, this argument seems to be wearing rather thin since the information we are receiving from the field indicates that both private and office accommodation is available. Furthermore, we have made it clear to all our interlocutors that as far as this Office is concerned we are proceeding on the basis of the existing mandates of the Security Council which in resolution 955 has decided that an office will be established in Rwanda and in resolution 977 that the seat of the Tribunal should be in Arusha, it being clearly understood that the seat is the location of the trial chambers.

Regards,

Ralph Zacklin
Director and Deputy
to the Under-Secretary-General
Office of the Legal Counsel

cc: Mr. Corell
Mr. Connor
~~Mr. Khan, Kigali~~
////

DO NOT TYPE BEYOND THE MARGINS - SEE INSTRUCTIONS ON THE REVERSE SIDE

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AUTHORIZED BY / AUTORISE PAR

SIGNATURE: R Zacklin Director and Deputy to the USG, OLC DATE: 21 April 1995

NAME AND TITLE (PLEASE TYPE) / NOM ET QUALITE (A DACTYLOGRAPHIER)

COMM. FORM

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA

UNAMIR-MINUAR

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

OUTGOING CABLE

TO: ANGELO, UNDP, DAR ES SALAAM

FROM: KHAN, UNAMIR, KIGALI

DATE: 18 APRIL 1995

NUMBER: MIR _____

SUBJECT: International Tribunal for Rwanda

Reference your fax of 12 April 1995 on the above, my enquiries with Headquarters indicate that arrangements are currently underway with the Government of Tanzania in respect of premises for the Tribunal. Please note the attached from New York on the issue, particularly the proposed visit of 15-20 May 1995 by OLA Officials.

Regards.

NAM:R: KIGALI RWANDA 95 4-17 16 19 2129636419 COMMCEN: # 1

UNITED NATIONS NATIONS UNIES

TELEGRAPH

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DRAFTER / REDACTEUR: Zacklin	DEPT.: Legal	ROOM / BUREAU: 3427	EXT. / POSTE: 5342

12 PITCH - 65/12 → 10 PITCH - 65/10 →

Mr. Shaharyar M. Khan
Special Representative
of the Secretary-General for Rwanda
Kigali

Fax No. 3 3090

Please see attached.

Regards,

Ralph Zacklin
Director and Deputy
to the Under-Secretary-General
Office of the Legal Counsel

Pl. note. See 18-4.

M. Rinta.

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AUTHORIZED BY / AUTHORISE PAR

SIGNATURE: [signature] DATE: 17 April 1995

NAME AND TITLE (PLEASE TYPE) / NOM ET QUALITE (A DACTYLOGRAPHIER)

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UNITED NATIONS NATIONS UNIES

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REFERENCE:

13 April 1995

Dear Mr. Ambassador,

Thank you for your letter of 10 April 1995 by which you have formally confirmed that the Government of the United Republic of Tanzania is willing to host the seat of the International Tribunal for Rwanda at Arusha and is ready to receive, on a mutually acceptable date, a United Nations mission to discuss the practical and legal arrangements pertaining to the establishment of the International Tribunal in Arusha.

Draft documents regarding the legal arrangements for the headquarters seat and the lease of premises have already been forwarded to Tanzania via the good offices of Ambassador Mselle who I understand travelled to Tanzania earlier this week. He has undertaken to make them available to the Ministry of Foreign Affairs and the Task Force which has been set up to coordinate the discussions with the United Nations. I enclose a copy of the draft lease agreement which was provided to Ambassador Mselle.

As far as the timing of the United Nations mission is concerned, I would like to suggest that the technical members of the team arriving in Arusha during the week of 8-12 May. They would engage in preliminary discussions on technical matters such as premises, communications facilitites, etc. with the Tanzanian authorities prior to the arrival of Mr. Zacklin who is the Deputy Legal Counsel of the United Nations and who will head the

Mr. Daudi N. Mwakawago
Permanent Representative of the
United Republic of Tanzania
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mission. Mr. Zacklin will arrive in Tanzania on 15 May and will be able to remain in the area until 19 or 20 May. I trust that these suggestions will be agreeable to your authorities.

Needless to say, any comments that the Tanzanian side may have on the draft agreements, prior to the arrival of the Mission, should be forwarded to us as soon as possible. This would facilitate the work of the Mission.

Yours sincerely,

Hans Corell
Under-Secretary-General
for Legal Affairs
The Legal Counsel