Tanzania’s Head of State, H.E. President Jakaya Kikwete met with the ICTR President, Judge Erik Møse; the Prosecutor, Justice Hassan B. Jallow; and the Registrar, Mr. Adama Dieng at the outskirts of Arusha on 17 March 2006.

The ICTR representatives expressed their appreciation that the Tanzanian President gave priority to such a meeting so early in his presidency. They stressed the important contribution of Tanzania as the host country of the Tribunal and currently also as a member of the Security Council. The main focus of the meeting was various aspects of the Tribunal’s Completion Strategy, including the progress of trials, the need to apprehend fugitives at large, and future use of the ICTR premises after the completion of the Tribunal’s work. The Tanzanian President assured the Tribunal of the continued co-operation of his country and its full support to the Completion Strategy.

The Tribunal has completed cases involving twenty-seven accused since the first trials started in January 1997, whereas cases involving twenty-seven accused are on-going. Fifteen accused are awaiting trial.

The Security Council has decided that the two ad hoc Tribunals in Arusha and The Hague shall complete all trials by 2008, and all appeals by 2010. The ICTR is on schedule to respect this deadline and expects that between sixty-five and seventy accused will have their cases completed by the end of 2008.

Joint Declaration of the Registrars of the International Criminal Jurisdictions

The Registrars of international criminal courts, Hans Holthuis, International Criminal Tribunal for the former Yugoslavia (ICTY), Adama Dieng, International Criminal Tribunal for Rwanda (ICTR), Lovemore Munlo, Special Court for Sierra Leone (SCSL), Bruno Cathala, International Criminal Court (ICC), met in Geneva on 1, 2 and 3 March 2006 to further pursue their regular working meetings which commenced 2 years ago with the purpose of enhancing efficiency, good management practice and effectiveness within their Registries.

The Registrars took stock of the
completion of their previous joint venture of the inter-
tribunal cooperation made possible through the 
generous grant of the European Union. The 
cooperation has resulted in the identification of best 
practices in the management of courts, in areas such 
as documents management, witness protection, and 
field logistics. The next step will be the development of 
a manual of best practices.

The Registrars reported on the main accomplishments 
of their respective tribunals in the last year and their 
current challenges.

The completion strategy poses a key challenge for 
ICTY, ICTR and SCSL, particularly in respect of 
legacy, archiving, staff retention, as well as 
administrative and organizational aspects.

The Registrars discussed their strategies to 
successfully achieve these ends. The ICC will 
eventually face challenges touching upon the 
experience of these strategies.

The discussions also concentrated on areas of mutual 
concern such as counsels appearing before the court, 
witness protection, human resource management, 
control mechanisms, transparency and accountability.

The Registrars deemed the continuous exchange of 
experience and cooperation instrumental to an efficient 
and flexible Registry that is to ensure a fair public trial. 
They also stressed that a common approach to areas 
such as fundraising for certain operational areas would 
be of equal importance.

The Registrars reiterated the necessity of the 
collaboration of States, in particular in respect of the 
arrest of accused still at large, the protection of 
witnesses, the enforcement of sentences, and of a full 
support of host countries for the operations of the 
courts. They acknowledged also with deep 
appreciation the significant and continuing assistance 
of the international community.

The Registrars seized the opportunity of their gathering 
to hold a roundtable and brief the diplomatic 
community in Geneva on the issues facing their 
respective jurisdictions.

The Registrars expressed their gratitude to the 
diplomatic corps based in Geneva for attending the 
briefing and extended their appreciation to the United 
Nations Office of Geneva which generously hosted 
their activities at the Palais des Nations.

Statement from the Office of the Prosecutor

There are many news stories published about the work 
of the International Criminal Tribunal for Rwanda. 
Given the complexity of its proceedings, some 
published articles contain inaccuracies. But unless 
these inaccuracies create an impression of the 
Tribunal that is fundamentally unfair, it is not 
appropriate to try to correct every error in reporting.

However, during the last several days, a freelance 
journalist has published a series of stories in the South 
China Morning Post and the Toronto Star. The stories 
have been re-circulated at the Tribunal in Arusha. These 
stories contain numerous errors of fact, both 
large and small, but they are most mistaken in the 
assertion that lying by witnesses is “rampant” at the 
ICTR and that it is encouraged by the Prosecutor. The 
record should be set straight.

The Prosecutor wins his case when justice is done, 
whether the verdict is guilty or not-guilty. The 
Prosecutor’s highest priority is that the truth be told. 
Extraordinary efforts have been made to investigate 
genocide crimes that were committed in Rwanda in 
1994 and to bring witnesses who can accurately 
recount what they experienced. Given the horrors that 
many of these individuals survived, the pain that they 
continue to suffer, and the genuine threats that they 
face to their safety, they have borne remarkable 
witness to one of the greatest crimes of the 20th 
Century. Their testimonies have been subject to 
rigorous cross examination and the witnesses called 
by the Prosecutor have been found to be credible in 
judgment after judgment. Now some would like to 
ignore these findings of credibility and instead suggest 
that there is a campaign of fabrication. This seems 
part of an effort to negate the genocide by inaccurately 
portraying the system of justice that the international 
community has established to bring the perpetrators of 
genocide to account.

If the truth is to be told, those who tell it must be 
protected. This is particularly true of cooperating 
witnesses who were inside the circle of conspirators. 
They have provided information about other high-level 
individuals who exercised control over the actual killers 
although these individuals were not present at the 
massacre sites and did not leave a documentary trail 
evidencing their involvement in the genocide.

Of course, these insiders may themselves be guilty of 
involvement in the crimes. The ICTR Prosecutor has 
required such cooperating individuals who are culpable 
of these crimes to plead guilty at the Tribunal or admit 
their guilt in a national court with jurisdiction and be 
sentenced to terms in prison. In making 
recommendations about their sentences the 
Prosecutor has asked that their criminal conduct be 
punished but that their truthful testimony about the 
crimes committed in Rwanda be recognised as a 
contribution to justice and reconciliation and as 
evidence of rehabilitation. In each case, the actual 
sentence was determined by judges in accordance 
with the law.

It must also be remembered that by cooperating with 
the Prosecutor such individuals have marked
themselves as traitors in the eyes of Accused persons and their associates. By assisting with the process of justice these individuals run the risk that vengeance will be taken against them after their release from prison, or against these families. The Prosecutor has evidence of threats that were made against the family members of cooperating insiders who gave testimony before the Tribunal. As one accused person said in a threatening message delivered to a cooperating insider just prior to the latter’s testimony, “We may not meet again in this lifetime, but our children will meet.”

In some cases it has been necessary to protect these families by relocating them in other countries. This has necessitated the provision of temporary assistance to permit the family members to become self-sufficient in a new society. The purpose of this assistance is not to reward the family but to restore it to the situation of security that would have existed had one of its members not decided to assist the process of justice. The amounts of direct payments, and the nature and extent of any indirect benefits have been disclosed to the Defence in each case where an insider witness has appeared. While such assistance has been the subject of lengthy cross examinations, it has never been found to have improperly motivated a witness. It is only when presented without explanation that protective measures for cooperating individuals and their families can be incorrectly portrayed as a form of corruption.

Those who have made the decision to tell the whole truth about the Rwandan genocide should not be abandoned to become targets of retribution. Efforts must be taken to protect them and their families. News reports about these protection efforts should be accurate and fair.

**ICTR Judicial Archives Unit Transfers Closed Case Files to New York**

The ICTR on 22 March 2006 dispatched its second closed case for permanent archival retention to New York. In January 2006 the Rutaganda case [ICTR-96-3] was the first closed case transferred. The ICTR has an agreement with the UN Archives and Records Management Section [UN ARMS] for eventual transfer of all judicial records of the ICTR.

The second case to be transferred was that of Jean Kambanda [ICTR-97-23]. Kambanda, the former Prime Minister of Rwanda, was arrested in Kenya in June 1997. Kambanda was sentenced to life imprisonment and the subsequent appeal was dismissed on 19 October 2000. He was later transferred to Mali to serve his sentence.

The contents of the file transfer consisted of the ‘hard-copy’ case file records [14 binders some of which are confidential], transcripts in both English and French [3 binders], and copies of the audiovisual records. All the transferred Kambanda records have been digitised and are available in the TRIM Judicial Records Database for use in the ongoing judicial proceedings of the ICTR and to service ongoing public requests for these judicial records. Digital copies of the audio recordings have been retained to be redacted for public access purposes.

Other cases that will be transferred to United Nations Archives in the course of 2006 will be Ruggiu ICTR-97-32, Serushago ICTR-98-39, Akayesu ICTR-95-1A, Semanza ICTR-97-20 and others. An access policy is being developed to ensure the confidentiality of the transferred records in New York. Public and research inquiries for judicial records of these transferred cases will continue to be addressed to the ICTR.

In the framework of the legacy of the ICTR, the judicial archives is of vital importance to the ongoing work of the process of justice and reconciliation for all Rwandans, hence the approval by United Nations ARMS to accept these records into their custody. Permanent retention of the ICTR’s jurisprudence is important in that we wish to pass on to future generations an official record of what transpired in the course of bringing to justice those deemed most responsible for the genocide in Rwanda in 1994.

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**Cooperation with Rwanda**

- **ICTR Registrar Briefs Diplomatic Corps and Government Officials in Rwanda**

During his mission to Rwanda from 13 to 16 March 2006, the Registrar of the International Criminal Tribunal for Rwanda (ICTR), Mr. Adama Dieng, held meetings with Rwandan government officials, representatives of United Nations agencies in Rwanda and the diplomatic corps accredited to Rwanda.

On 15 March, the Registrar briefed the diplomatic corps and heads of missions accredited to Rwanda at the ICTR office in Kigali. He informed the diplomats about the current status of the Tribunal’s work and its completion strategy. Mr. Dieng discussed the ongoing trials, the issue of the transfer of cases to national jurisdictions, including Rwanda, and cooperation between the Government of Rwanda and the Tribunal.

The Registrar urged the International community to provide assistance to the Government of Rwanda in efforts to strengthen the country’s judicial capacity. He further requested the diplomats to extend more support to the Tribunal’s outreach program, which is one of the Tribunal’s public information channels. He said that the ICTR will not achieve its mission if the people of Rwanda do not understand what was taking place at the Tribunal in Arusha. The ICTR outreach and information programs are part of the Tribunal’s contribution to the ongoing process of reconciliation in Rwanda and the promotion of peace in the Great
Lakes Region.

Mr. Dieng told the diplomats that some of the present ICTR detainees and some indictees still at large will not be tried in Arusha before the end of 2008. Some of them will be transferred to national jurisdictions. He pointed out that the ICTR Prosecutor’s Office has already transferred 30 case files to Rwanda.

The Registrar also briefed the Rwandan Minister of Justice, Mrs. Edda Mukabagwiza, on the latest developments at the Tribunal. They discussed common interests including cooperation between the Rwandan Government and the ICTR, the Tribunal’s support for capacity building of the Rwandan justice system and the ongoing process of transferring case files to Rwanda. Registrar Dieng told the Minister that the Tribunal would continue implementing various projects aimed at strengthening the country’s judicial sector.

In a meeting with the Rwandan Prosecutor General, Mr. Jean de Dieu Mucyo, the Registrar handed over legal documents including all the judgments rendered by the Tribunal’s trial chambers and the appeals cases that were translated into Kinyarwanda from French and English. He also gave Prosecutor Mucyo documents about the persons indicted by the Tribunal since its establishment.

The Registrar told participants at the conference that their invitation to him demonstrates the existing good cooperation between the Tribunal and the Rwandan legal professionals in particular and the Rwandan government in general.

Mr. Dieng said that justice cannot be achieved if the rights of the accused to adequate defence are not observed. He added that defense lawyers are very instrumental in trials especially when it comes to the judicial protection of the suspects. He emphasized the fact that fair trials in international or national courts cannot be observed if there are imbalances between prosecution and defence in such trials.

The Registrar pointed out that the ICTR as a body entrusted with rendering international justice had the duty of ensuring that qualified lawyers are employed by the Tribunal in order to avoid imbalances in the trials.

“We do not want imbalances in our trials as we deal with international justice that is supposed to ensure that unity and reconciliation is observed among Rwandans especially after the 1994 genocide and conflict. That is why we engage lawyers of international standards,” Mr. Dieng said.

Mr. Dieng outlined the importance of lawyers in the legal profession saying that without them, the judiciary can never achieve its desired objective of ensuring that any given country respects the rule of law.

The Registrar urged the Rwandan lawyers to act professionally in order to portray a good image of Rwandan unity and reconciliation. He added that he was optimistic that this could be achieved as the Rwandan Bar Association has achieved a lot after carrying out amendments that are vital in improving the legal profession.

He promised that the ICTR would continue to provide support in the form of training to Rwandan legal professionals so that they will be able to comply with
the required judicial standards. He also said that he was confident Rwandan lawyers will be capable of conducting the trials of suspects who will be transferred from ICTR to Rwanda under the Tribunal completion strategy to meet is mandate to close in 2008.

The Registrar commended the Rwandan Bar Association for its achievements in the shortest possible time compared to other bar associations in Africa.

- Film Screening Takes Place at Umusanzu Information Center

The International Criminal Tribunal for Rwanda (ICTR) in cooperation with the Rwanda Cinema Centre on 29 March 2006 screened various documentaries related to justice, human rights and tolerance at the Umusanzu Information Centre in Kigali. The films attracted people from UN Agencies based in Rwanda, institutions of higher learning, human rights organizations, media institutions, international NGO’s and other ICTR partners in Kigali.

The screening was part of the second Rwanda National Film Festival that took place from 16 to 30 March 2006 in different parts of Rwanda.

Speaking on behalf of the ICTR, Mr. Bocar Sy, Chief of the Public Affairs and Information Unit thanked officials at the Rwanda Cinema Centre, the organizers of the film festival for including ICTR as one of their principal partners during the festival. Mr. Sy said that such a joint venture was instrumental in the realization of the Tribunal’s outreach program, one of the Tribunal’s channels of informing the people of Rwanda about the work of the ICTR.

Some of the films shown at the festival include: “Translating Genocide”, “God Sleeps in Rwanda”, “Justice Today, Peace Tomorrow”, “Rwanda pour Memoire”, “All about Dartur”, “Rwanda les Collines Parient” and “Towards Reconciliation”.

The participants thanked the ICTR for providing its documentaries to the festival, saying that they help to keep the memory of the genocide in 1994 alive for Rwandans.

News from Kigali

- ICTR Spokesman meets Press in Kigali

On 1 March 2006, Timothy Gallimore, Spokesman for the International Criminal Tribunal for Rwanda (ICTR), provided a briefing to Rwandan journalists at the ICTR Conference Hall in Kigali. He gave the media an update on the status of cases in progress at the Tribunal’s headquarters in Arusha, the Prosecutor’s recent motion to transfer a case to Norway and on the ICTR completion strategy.

The Spokesman also provided the journalists with basic financial and personnel information about the Tribunal.

At the end of the briefing, the Spokesman answered questions from the journalists on topics including the ICTR budget, transfer of case files, witness protection, the acquittals of Ntagerura and Bagambiki and the request for transfer of Michel Bagaragaza to Norway for trial.

On 2 March, Gallimore appeared on the Radio Flash FM station in Kigali in a live interview where he updated the Rwandan public on the activities of the Tribunal. He also held interviews with individual journalists from various newspapers in Rwanda.

The press briefing and interviews were part of the Spokesman’s activities during his mission to Rwanda from 24 February to 3 March, 2006.

News from The Hague

- Activities of the Appeals Chamber

The Cyangugu and Gacumbitsi appeal judgements are presently under deliberation as are five interlocutory appeals in the Karemera et al. case and a request for review in the Niyitegeka case. The Appeals Chamber is also preparing the Ndindabahizi and Media appeals for hearings and is considering pre-appeal matters in the Simba and Muhimana cases. The Appeals Chamber issued four pre-appeal orders or decisions during March.

- Testimonies of Witnesses by Video-Link from The Hague to Arusha

The witness testimony by video-link in the Ndindiliyimana et al. case started in The Hague on 20 February 2006 was completed on 03 March 2006. It was held following the issuance of an Order on 7 September 2005 by Trial Chamber II, composed of Judges Asoka de Silva (Presiding), Taghrild Hikmet, and Seon Ki Park.

Following the issuance of an Order on 7 February 2006 by Trial Chamber II, composed of Judges Asoka de Silva (Presiding), Flavia Lattanzi and Florence Rita Arrey, the
ICTR Appeals Chamber Support Unit organised and coordinated the taking of testimonies of four witnesses by video-link in the Muvunyi case from 06 to 13 March 2006 in The Hague pursuant Rules 54 and 71(D) of the Rules of Procedure and Evidence of the Tribunal.

The OTP holds its second major strategy workshop

The Office of the Prosecutor (OTP) held its second major strategy workshop between 03 – 05 March 2006 at the Ngurdoto Mountain Lodge in Arusha, Tanzania.

The Strategy Workshop was designed to review the achievements of the OTP in the context of the ICTR Completion Strategy first worked out in February 2004 and to plan for the remaining workload of the OTP. The OTP, being critically aware of the limited time remaining for the completion of the mandate of the Prosecutor, sought, in this workshop to work out best ways of completing its remaining trial workload by end 2008 and appeal workload by end 2010. This involved looking back at previous strategies and assessing what had worked well, what did not work and why, what can be retained and used as part of the revamped strategy and what new interventions can be brought to bear on the efforts to complete the remaining workload. It was therefore important for the OTP to collect as many ideas as possible before drafting and finalizing the new strategy. The inputs of all staff members were therefore considered necessary.

Prior to the workshop, all OTP staff were invited through a survey questionnaire to give views regarding the strategy. Senior Trial Attorneys and all trial teams were also specifically polled for their views. Valuable insights were received from many staff members. These were analyzed [by the Policy Coordinator in the Immediate Office of the Prosecutor] and the results were fed into the planning process that preceded the workshop and used to inform discussion at the workshop itself.

At the end of the workshop, the Prosecutor, in his closing address, congratulated the participants for having identified the issues that need strengthening and addressing new areas of concern. According to him, the expectations of the workshop had been met. What remained was to revisit the report of the Distillation Committee, elaborate on it, build consensus around it and take specific measures to implement the recommendations. The key to the success of our revised strategy lies in proper and timely implementation.

Another key is the need to work as a team as had been done during the workshop. He specifically requested participants to carry the teamwork spirit back to their offices. He praised the good quality of papers presented, especially the one on legacy issues presented by Dr. Alex Obote. The Prosecutor said that even as we turn our backs to the ICTR in 2010, there will still be many residual issues needing attention. This is a very urgent matter that needs to be addressed, especially by the Security Council.

The Registrar Visits ICTP

Adama Dieng visited ICTP on 2 February to meet with the ICTP Director, K. R. Sreenivasan. Following the meeting, Dieng and Sreenivasan participated in a conference on human rights organized by the University of Trieste.

Founded in 1964, the Abdus Salam International Centre for Theoretical Physics (ICTP) operates under a tripartite agreement between the Government of Italy and two UN agencies, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Atomic Energy Agency (IAEA). The Centre is located along the coast of the Adriatic Sea, in northeast Italy, about 10 kilometres from the city of Trieste.

Visitors to the Tribunal during the month of March 2006

1. 1 March 2006 – 19 Members of the Cross Cultural Solution, Tanzania
3. 8 March 2006 – Staff of World Vision Tanzania during the Celebration of International Women's Day.
4. 14 March 2006 – Canadian High Commissioner to Tanzania. H:E Mr Andrew McAlister accompanied by
5. 16 March 2006 – 5 delegates of Global Network on Gender and Malaria.

6. 16 -18 March 2006 - 3 members of United Nations Re-design Panel from UNHQNY.

7. 17 March 2006 - 2 members of MS-TCDC- Training Centre for Development Cooperation. Tanzania.

8. 23 March 2006 –4 Students of Malmo University College, Sweden.

9. 29 March 2006- 20 Pupils of International School Moshi, Arusha Campus.

10. 29 March 2006 –7 members MS -TCDC- Training Centre for Development Cooperation. Tanzania.

11. 30-31 March 2006 - Mr Akihito Teruuchi, Head of Political Unit, United Nations Policy Division, Ministry of Foreign Affairs Tokyo Japan.

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Gregory Pratt Lombardi, OTP, aged 39, on 26 March 2006.

Greg was an intern at the ICTR in 2002. He joined the Tribunal in 2003 as an Assistant Trial Attorney.

Gregory is survived by his wife, Christy Adams Clark, and his six year old son, Cole Pratt Lombardi.

Mr. Lokosang Lukudu, Finance Unit, ICTR Kigali, aged 50 on 30 March 2006.

Lokosang joined the ICTR Arusha on 10 February 1997, and got reassigned to Kigali Office on 3 February 2004. He worked with the ICTR as a Finance Clerk.

Lukudu is survived by his wife, Amirso Isidoro, and three sons, Roy, Levi and Brian.

May God Rest their Souls in Peace
New Security Measures at the ICTR, Arusha

A separate block has been erected for screening all persons wishing to gain entry into the Tribunal premises. It is adjacent to the main gate of the Tribunal. It also has a special "bomb room" where suspicious objects/packets can be taken and opened.

Electrically operated gate

Main Entrance

Exit

A group of student visitors being screened