



ICTR-95-1-I
28-11-95
(432-131)
432
Kistepelmin

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR RWANDA**

Case No. ICTR-95-1-I

BEFORE A JUDGE OF THE TRIAL CHAMBER

Before: Judge N. Pillay

Registrar: Dr. Andronico O. Adede

Decision of: 28 November 1995

THE PROSECUTOR

v.

CLEMENT KAYISHEMA

**WARRANT OF ARREST
ORDER FOR SURRENDER**

To: The Republic of Zaire

I, Judge N. Pillay, Judge of the International Criminal Tribunal for Rwanda,

CONSIDERING United Nations Security Council Resolution 978 of 27 February 1995, and Articles 19(2) and 28 of the Statute, and Rules 54 to 61 of the Rules of Procedure and Evidence of the International Criminal Tribunal for Rwanda,

CONSIDERING the indictment submitted by the Prosecutor against Clement Kayishema, and confirmed by a Judge of the International Criminal Tribunal for Rwanda on the 28th day of November 1995, a copy of which is annexed to this warrant of arrest,

HEREBY DIRECT the authorities of the Republic of Zaire to search for, arrest and surrender to the International Criminal Tribunal for Rwanda:

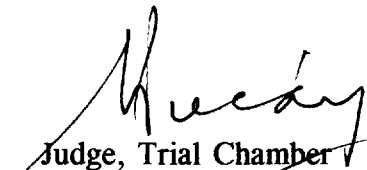
Clement Kayishema, born in 1954 in Bwishyura Sector, Gitesi Commune, Kibuye Prefecture of Rwanda. He is believed to be currently in Bukavu, Zaire.

He is alleged to have committed between 9 April and 30 June 1994 in Kibuye Prefecture in Rwanda, the following crimes: Conspiracy to Commit Genocide, Genocide, Crimes Against Humanity, and Violations of Article 3 common to the Geneva Conventions of 12 August 1949 for the Protection of War Victims, and of Additional Protocol II thereto of 8 June 1977, within the competence of the International Criminal Tribunal for Rwanda by virtue of Articles 2, 3 and 4 respectively,

And to advise the said Clement Kayishema at the time of his arrest, and in a language he understands, of his rights as set forth in Article 20 of the Statute and, *mutatis mutandis*, in Rules 42 and 43 of the Rules of Procedure and Evidence which are set out below, and of his right to remain silent, and to caution him that any statement he makes shall be recorded and may be used in evidence. The indictment and review of the indictment (and all other documents annexed to the present warrant) must also be brought to the attention of the accused,

REQUESTS THAT the Republic of Zaire, upon the arrest of Clement Kayishema, promptly notify the Registrar of the International Criminal Tribunal for Rwanda, for the purposes of his transfer pursuant to Rule 57 of the Rules of Procedure and Evidence,

REQUESTS THAT the Republic of Zaire report forthwith to the Registrar of the International Criminal Tribunal for Rwanda if it is unable to execute the present warrant of arrest, indicating the reasons for its inability pursuant to Rule 59 (A) of the Rules of Procedure and Evidence.


Judge, Trial Chamber
International Criminal Tribunal for Rwanda

Dated this 28th day of November 1995,
At Arusha, Tanzania

Registrar
Arusha, Tanzania