



**International Criminal Tribunal for Rwanda  
Tribunal Pénal International pour le Rwanda**

UNITED NATIONS  
NATIONS UNIES

Arusha International Conference Centre  
P.O.Box 6016, Arusha, Tanzania - B.P. 6016, Arusha, Tanzanie  
Tel: 255 27 2504207-11 2504367-72 or 1 212 963 2850 Fax: 255 27 2504000/2504373 or 1 212 963 2848/49

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Original : English

Before: Judge Erik Møse

Registry: Adama Dieng

Decision of: 10 August 2001

**THE PROSECUTOR**

**versus**

**PAUL BISENGIMANA**

**ICTR-2001-60-1**

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**REQUEST FOR ARREST, SEARCH, SEIZURE AND TRANSFER  
ADDRESSED TO ALL STATES MEMBERS OF THE UNITED NATIONS**

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Office of the Prosecutor:

Silvana Arbia

**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (“the Tribunal”)**

**SITTING AS** Judge Erik Møse, designated pursuant to Rule 28 of the Tribunal’s Rules of Procedure and Evidence (“the Rules”);

**CONSIDERING** the Prosecution’s *ex parte* request for search, seizure, arrest and transfer, filed on 9 August 2001;

**CONSIDERING** Articles 18(2), 19(2) and 28 of the Statute of the Tribunal (“the Statute”) and Rules 40 and 54 to 59 of the Rules, in particular Rule 55 *bis*;

**CONSIDERING** that the Indictment against **Paul Bisengimana** (“the Accused”) was confirmed on 17 July 2001 (“the Indictment”);

**HEREBY RESPECTFULLY REQUESTS** all States that are members of the United Nations to:

- (i) search for, arrest and transfer to the Tribunal:

**Paul Bisengimana**

a Rwandan citizen, who is alleged to have been the *Bourgmestre* of Gikoro *Commune*, Kigali-Rural *Préfecture*, Rwanda, and who is accused of having committed during 1994 in Rwanda the following crimes: Genocide or alternatively Complicity in Genocide Conspiracy to commit Genocide Direct and Public Incitement to commit Genocide, Crimes against Humanity and Serious Violations of Article 3 Common to the Geneva Conventions and Additional Protocol II;

- (ii) serve on the Accused at the time of his arrest, in a language that he understands, a certified copy of the Warrant of Arrest accompanied by a copy of the Indictment certified in accordance with Rule 47 (G) of the Rules and a statement of the rights of the Accused as set forth in Article 20 of the Statute and *mutatis mutandis* in Rules 42 and 43. If the Accused is unable to understand any of the Tribunal’s official

languages the said documents shall be served in a language he understands, provided this language is known to the Registrar;

(iii) inform the Accused of his right to remain silent and to caution the Accused that any statement made by him shall be recorded and may be used as evidence against him;

(iv) search for and seize all physical evidence related to the crimes for which the Accused is indicted In the event of physical evidence being seized, prepare an itemized inventory of all seized items and ensure that it is properly witnessed and acknowledged by the Accused. Thereafter transfer all seized items together with the inventory to the Office of the Prosecutor in Arusha, Tanzania;

(iv) ascertain whether the Accused has assets located within the territory of the State concerned and if so, adopt provisional measures to freeze the said assets, without prejudice to the rights of third parties;

(v) Promptly notify the Registrar of the Tribunal upon the arrest of the Accused for the purposes of effecting his transfer. If a State is unable to execute the present Warrant of Arrest and Transfer, as requested, the State concerned is requested to indicate the reasons for its inability to give effect: thereto, pursuant to Rule 59(A) of the Rules.

**ORDERS** that **Paul Bisengimana**, shall be remanded in custody m the Tribunal's Detention Facility, upon his transfer from the State in which he has been arrested.

Arusha, 10 August 2001

Erik Møse

Judge

(Seal of the Tribunal)