

ICTR-95-1C-I
18-2-2002
(27-25')

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International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

Before: Judge William H. Sekule

Registrar: Mr. Adama Dieng

Date: 18 February 2002

JUDICIAL RECORDS DIVISION
ICTR
2002 FEB 18 1 P 5: 30
Adama Dieng

THE PROSECUTOR

v.

Vincent RUTAGANIRA

Case No. ICTR-95-1-I

**WARRANT OF ARREST AND
ORDERS FOR TRANSFER AND DETENTION
AND FOR SEARCH AND SEIZURE**

TO: All Member States of the United Nations:

W. H. Sekule

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

JUDGE WILLIAM H. SEKULE, sitting as Duty Judge, designated by the President of the Tribunal, pursuant to Rule 28 of the Rules of Procedure and Evidence (the “Rules”);

BEING SEIZED of the Prosecutor’s, “Urgent Ex Parte Request for Arrest, Search, Seizure and Transfer Addressed to all States Members of the United Nations,” filed on 14 February 2002 (the “Prosecutor’s Request”);

CONSIDERING United Nations Security Council Resolutions 955, 978 and 1165 of 8 November 1994, 27 February 1995 and 30 April 1998, regarding the cooperation of States with the Tribunal;

CONSIDERING Articles 18(2), (19(2) and 28 of the Statute of the Tribunal (the “Statute”) and Rules 40, 54 through 61 and 64 of the Rules;

CONSIDERING the indictment against VINCENT RUTAGANIRA (the “Accused”), which was confirmed on 28 November 1995 and which included an order for non-disclosure (the “Indictment”);

HEREBY

1. **RESPECTFULLY REQUESTS** all member states of the United Nations to:

(a) **SEARCH FOR, ARREST and TRANSFER** to the Tribunal:

Vincent RUTAGANIRA

A Rwandan citizen, born in Mubuga Sector, Gishyita Commune, Kibuye Prefecture, Rwanda;

Who is charged with the following crimes under the Tribunal’s Statute committed in Rwanda between 1 January and 31 December 1994: Conspiracy to Commit Genocide (Article 2(3)(b)); Genocide (Article 2(3)(a)); three Crimes Against Humanity: Murder (Article 3(a)); Extermination (Article 3(b)); Other Inhumane Acts (Article 3(i)); Serious Violations of Article 3 Common to the Geneva Conventions (Article 4(a)); A Violation of Additional Protocol II (Article 4(a)).

(b) **SEARCH AND SEIZE** all physical evidence related to the crimes alleged to have been committed by Vincent RUTAGANIRA;

(c) **CREATE** a detailed itemized inventory, including documents, books, papers or any other objects, that is properly witnessed and acknowledged by the Accused, and transfer said evidence and the inventory to the Office of the Prosecutor of the Tribunal in Arusha, United Republic of Tanzania;

(d) **SERVE** on the Accused, at the time of his arrest, or as soon as is practicable immediately following arrest, in a language he understands, a certified copy of this Warrant of Arrest, accompanied by a copy of the Indictment certified in

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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 of the Rules;

- (e) **SEEK AN ACKNOWLEDGEMENT** of receipt from the Accused of a copy of the Warrant of Arrest, the Indictment and the statement of his rights in a language he understands, and transmit said acknowledgment to the Registrar of the Tribunal pursuant to Rule 55(C) of the Rules;
 - (f) **CAUTION** the Accused that any statement made by him shall be recorded and may be used as evidence against him;
 - (g) **NOTIFY** the Registrar of the Tribunal of the arrest of the Accused, for the purposes of effecting his transfer to the custody of the Tribunal, and to surrender the Accused to the Tribunal without delay; and
 - (h) **REPORT** forthwith to the Registrar of the Tribunal if the member State is unable to execute this Warrant of Arrest and order for surrender, indicating the reasons for its inability to give effect thereto, pursuant to Rule 59(A) of the Rules;
 - (i) **MAKE INQUIRIES** to discover whether the Accused has assets located within the territory of the Member State concerned and if so, to adopt provisional measures to freeze such assets, without prejudice to the rights of third parties;
2. The Tribunal further **ORDERS**, pursuant to Rule 64 of the Rules that the Accused, Vincent RUTAGANIRA be remanded into the custody of the Tribunal's detention facility upon his transfer to the seat of the Tribunal, at Arusha, United Republic of Tanzania.
 3. The Tribunal further **DIRECTS** the Registrar of the Tribunal to cooperate with the authorities of the United Republic of Tanzania in the execution of this Order, and, in particular, paragraphs 2(a) through 2(i) above.

Arusha, 18 February 2002.



William H. Sekule
Judge

(Seal of the Tribunal)