

87/A



**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, Tanzania  
Tel: 255 27 2504207-11 2504367-72 or 1 212 963 2850 Fax: 255 27 2504000/2504373 or 1 212 963 2848/49

*Office of the President  
Cabinet du Président*

Before: Judge Erik Møse

OR: ENG

Registrar: Mr. Adama Dieng

Decision of: 18 June 2003

2003 JUN 19 P. 12: 13  
JUDICIAL RECORDS ARCHIVES  
ICTR  
*[Signature]*

---

**THE PRESIDENT'S DECISION ON THE COMPLAINT FILED BY DETAINEE  
LAURENT SEMANZA**

---

*[Handwritten signature]*

86/A

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

**SITTING** as Judge Erik Møse, President;

**BEING SEIZED OF** a written complaint of 5 June 2003 from Laurent Semanza relating to his transfer to another cell and a response from the Commanding Officer;

**HEREBY CONSIDERS THE COMPLAINT**

**INTRODUCTION**

Laurent Semanza (“the detainee”) has been convicted of complicity in genocide and crimes against humanity, and sentenced to 25 years imprisonment. He has filed an appeal against his conviction.

The detainee has filed a written complaint against the decision of the Commanding Officer of the Tribunal’s Detention Facility (“the Commanding Officer”) to transfer him to another cell. The Registry forwarded the complaint and the Commanding Officer’s response to the President for consideration.

**SUBMISSIONS**

The detainee requests a reversal of the Commanding Officer’s decision to transfer him to another cell. He submits that the cell to which the Commanding Officer intends to transfer him, lacks ventilation which will contribute to his ill-health. He also expressed dissatisfaction with the toilet facilities in this cell.

The Commanding Officer submits that the cell to which he intends transferring the detainee is of “international standard”. It was occupied by other detainees over the last seven years and there were no complaints of the cell being unsanitary or that it lacked ventilation. The cell has been recently painted and new toilet facilities fitted. The International Committee of the Red Cross had on more that twenty-three occasions inspected the Tribunal’s Detention Facility. It has never found the cells to be unhygienic or have poor ventilation.

The Commanding Officer stated orally, that the transfer of the detainee and three others to new cells is being done in the interests of effective management and administration of the Tribunal’s Detention Facility. The detainee will not be required for any court proceedings for some time, and therefore he and three other detainees are being transferred to new cells in an effort to facilitate the easy access and movement of other detainees who are required for court proceedings.

**DELIBERATIONS**

The Tribunal recalls that pursuant to Rule 83 of the Rules Covering the Detention of Persons Awaiting Trial or Appeal Before the Tribunal (“the Rules”), a detainee, if not satisfied with the response from the Commanding Officer, has the right to submit a written complaint, without censorship, to the Registrar, who shall forward such complaint to the President. It also recalls Rules 14, 15 and 16 of the Rules.

*E. Møse*

85/A

The Tribunal notes that the cell to which the detainee is to be transferred was recently renovated. On 12 June 2003, the cell was inspected by the Special Assistant to the President who noted that it met all requirements with regard to health and hygiene, with due regard to ventilation. Further, the adjacent court yard receives direct sunlight and air flow.

The Tribunal further notes that the detainee is working on his appeal, but that the appeal brief is not likely to be filed in the coming days. His transfer to another cell at this stage will not disrupt his appeal preparation.

**FOR THESE REASONS THE TRIBUNAL**

**DISMISSES** the complaint filed by Laurent Semanza.

Arusha, 18 June 2003



Erik Møse  
President

(Seal of the Tribunal)