



UNITED NATIONS  
NATIONS UNIES

**International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda**

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OR: ENG

**OFFICE OF THE PRESIDENT**

**Before Judge:** Dennis C. M. Byron  
*President of the Tribunal*

**Registrar:** Adama Dieng

**Date:** 3 November 2008

**THE PROSECUTOR**

v.

**Laurent SEMANZA**

*Case No. ICTR-97-20*

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**DECISION ON THE ENFORCEMENT OF SENTENCE**

*Article 26 of the Statute & Rule 103(A) of the Rules of Procedure and Evidence*

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PURSUANT to Article 26 of the Statute of the Tribunal (“the Statute”) and Rule 103 of the Rules on Procedure and Evidence (“the Rules”) as well as paragraphs 4 and 5 of the Practice Direction on the Procedure for Designation of the State in Which a Convicted Person is to Serve His/Her Sentence of Imprisonment, as revised and amended on 23 September 2008 (“the Practice Direction”);

NOTING that on 15 May 2003, Trial Chamber III of the Tribunal found Laurent Semanza, a Rwandan national born in 1944, guilty of complicity in genocide and rape, torture, murder and extermination as crimes against humanity and sentenced him to twenty-five years’ imprisonment, reduced by six months for violations of his rights;

NOTING that on appeal, the conviction was upheld for complicity in genocide and rape, murder, torture and aiding and abetting extermination as crimes against humanity, and that the Appeals Chamber further found Laurent Semanza guilty of genocide and serious violations of Article 3 Common to the 1949 Geneva Conventions and of the 1977 Additional Protocol II thereto and sentenced him on 20 May 2005 to thirty-five years’ imprisonment, reduced by six months for violations of his rights;

NOTING that since that time, Laurent Semanza has remained in the United Nations Detention Facility in Arusha (Tanzania), pending a determination on where his sentences will be enforced;

CONSIDERING the confidential Memorandum, which the Registrar submitted to the President on 31 March 2008, pursuant to paragraph 3 of the Practice Direction;

CONSIDERING the Agreement between the Government of the Republic of Mali and the United Nations on the Enforcement of Sentences of the International Criminal Tribunal for Rwanda (“the Agreement”) signed on 12 February 1999;

NOTING that according to Article 3 (3) of the Agreement, conditions of imprisonment shall be compatible with the Standard Minimum Rules for the Treatment of Prisoners, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and the basic Principles for the Treatment of Prisoners;

NOTING that the Government of Mali was duly consulted by the Registrar on 10 March 2008 about its willingness to enforce the sentence of convicts of the Tribunal, and that,

following the general agreement of Mali, information on the convict has been transmitted pursuant to paragraph 2 of the Practice Direction;

HAVING NOTIFIED the Government of Rwanda on 26 February 2008, pursuant to Rule 103 and paragraph 2 of the Practice Direction;

HAVING TAKEN INTO ACCOUNT the other factors mentioned in the Practice Direction;

HAVING CONSULTED with the Registrar;

**FOR THOSE REASONS,**

**THE PRESIDENT**

- I. **DECIDES** that the sentence imposed on Laurent Semanza shall be enforced in the Republic of Mali;
- II. **ORDERS** that Laurent Semanza remain in custody of the Tribunal while awaiting his transfer to the Republic of Mali;
- III. **RECALLS** that the enforcement will be carried out in accordance with Mali law, subject to the supervision of the Tribunal;
- IV. **INVITES** the Registrar to request officially the Government of the Republic of Mali to enforce the sentence of Laurent Semanza and, should the Government of the Republic of Mali grant the request, notify the President and take all the necessary measures to facilitate the transfer of Laurent Semanza to Mali;
- V. **ORDERS** that this Decision be treated confidential until the transfer procedure has been completed.

Arusha, 3 November 2008, done in English.

Dennis C. M. Byron  
President

[Seal of the Tribunal]

