



UNITED NATIONS
NATIONS UNIES

Tribunal Pénal International pour le Rwanda
International Criminal Tribunal for Rwanda

IN THE APPEALS CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge Mehmet Güney
Judge Fausto Pocar
Judge Andréia Vaz
Judge Carmel Agius

Registrar: Mr. Adama Dieng

Decision: 27 October 2010

Georges A. N. RUTAGANDA

v.

THE PROSECUTOR

Case No. ICTR-96-03-R68

DECISION ON RUTAGANDA'S PENDING MOTIONS

The Applicant:

Mr. Georges A. N. Rutaganda, *pro se*

The Office of the Prosecutor:

Mr. Hassan Bubacar Jallow
Mr. George Mugwanya
Ms. Inneke Onsea
Ms. Evelyn Kamau
Ms. Florida Kabasinga

THE APPEALS CHAMBER of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 (“Appeals Chamber” and “Tribunal”, respectively);

BEING SEISED OF three motions filed by Mr. Georges A. N. Rutaganda (“Rutaganda”) *pro se*, namely: (i) “Georges A. N. Rutaganda’s Motion for Remedial and Punitive Measures for Disclosure Violations *[Article 20(1) (2) of the Statute, Rule 68 of the Rules]*”;¹ (ii) “Georges A. N. Rutaganda *Fsicĝ* Extremely Urgent Motion for Assignment of Legal Assistance, ‘E.D.S’ Consultation and Logistic Facilities *[Article 20(1) (2), (4) (d) of the Statute, Rule 68 of the Rules]*”;² and (iii) “Rutaganda’s Extremely Urgent Request for Extension of Time Limit *[Article 20(1) (2) of the Statute, Rule 68 of the Rules]*”;³ filed on 4, 9, and 23 August 2010 respectively (“Pending Motions”);

NOTING the Trial Judgement rendered on 6 December 1999,⁴ and the Appeal Judgement rendered on 26 May 2003 in the case of *The Prosecutor v. Georges A. N. Rutaganda*;⁵

NOTING that Rutaganda was serving his sentence in the Akpro-Missérété Prison, in Porto Novo, Republic of Benin;⁶

NOTING the Registrar’s submission that Rutaganda passed away on 12 October 2010 at the *Clinique Louis Pasteur*, in Porto Novo;⁷

CONSIDERING that, as a consequence, the Appeals Chamber lacks jurisdiction to consider the Pending Motions;⁸

¹ See also Prosecutor’s Response to Rutaganda’s Rule 68 Motion, 16 August 2010 (confidential).

² See also Prosecutor’s Response to Rutaganda’s Motion for Legal Assistance, EDS Consultation and Logistic Facilities, 19 August 2010.

³ See also Prosecutor’s Response to Rutaganda’s Motion for Extension of Time to File Reply, 25 August 2010.

⁴ *The Prosecutor v. Georges Anderson Nderubumwe Rutaganda*, Case No. ICTR-96-3-T, Judgement and Sentence, 6 December 1999.

⁵ *Georges Anderson Nderubumwe Rutaganda v. The Prosecutor*, Case No. ICTR-96-3-A, Judgement, 26 May 2003.

⁶ *The Prosecutor v. Georges Rutaganda*, Case No. ICTR-96-3, Decision on the Enforcement of Sentence, 18 May 2009.

⁷ The Registrar’s Submission Notifying the Demise of Georges Rutaganda, 15 October 2010, para. 2, and the attached death certificate (*Déclaration de décès*).

⁸ See *Prosecutor v. Rasim Delić*, Case No. IT-04-83-A, Decision on the Outcome of the Proceedings, 29 June 2010, paras. 5-8.

FOR THE FOREGOING REASONS,

HEREBY DISMISSES the Pending Motions.

Done in English and French, the English version being authoritative.

Judge Patrick Robinson
Presiding Judge

Done this 27th day of October 2010,
At The Hague, The Netherlands.

[Seal of the Tribunal]