

ICTR-01-70-PT
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UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda

Case no. ICTR-2001-70-I

THE PROSECUTOR

VS

EMMANUEL RUKUNDO

JUDICIAL RECORDS/ARCHIVES
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AMENDED INDICTMENT

**FILED PURSUANT TO THE DECISION OF TRIAL CHAMBER II
of 28 September 2006**

- I. The Prosecutor of the United Nations International Criminal Tribunal for Rwanda, (“the Prosecutor”) pursuant to the authority stipulated in Article 17 of the Statute of the International Criminal Tribunal for Rwanda (“the Statute”) charges:

EMMANUEL RUKUNDO

With

Count 1: **GENOCIDE**

Count 2: **MURDER** as a **CRIME AGAINST HUMANITY**

Count 3: **EXTERMINATION** as a **CRIME AGAINST HUMANITY**

II. THE ACCUSED:

- A. **Emmanuel RUKUNDO** was born on 1 December 1959, at Mukingi, GITARAMA prefecture, RWANDA.
- B. At all material times referred to in this indictment, **Emmanuel RUKUNDO** was a priest and military chaplain in the Rwandan Armed Forces (hereinafter, the “RAF”), as follows:
- (i) He was ordained a priest on 28 July 1991, and served as parish priest in Kanyanza Parish, in Gitarama Prefecture.
 - (ii) He was appointed as military chaplain in the RAF in February 1993. In May 1993, he was posted to Ruhengeri and Gisenyi military sectors.
 - (iii) Relying on the authority due to his position as a priest and military chaplain in the RAF, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted soldiers, *interhamwe* and armed civilians, variously, in Gitarama Prefecture, notably at the Gitarama commune office at Nyabikenke; the Bishop’s office of the Diocese of Kabgayi, otherwise called *L’évêché*; Saint Léon Minor Seminary; a place called TRAFIPRO, and otherwise known as CND; Saint Joseph College; Kabgayi Major Seminary; and two primary schools and other facilities in Kabgayi, in which Tutsi refugees sought protection in April – July 1994, to commit the crimes that are described below in this indictment. Similarly, he ordered, instigated, or aided and abetted *gendarmes* to do a killing in Cyangugu Prefecture, as described below in this indictment.

III. CHARGES AND CONCISE STATEMENT OF FACTS

1. At all times referred to in this indictment there existed in Rwanda a minority ethnic or racial group known as Tutsis, officially identified as such by the government. The majority of the population was comprised of an ethnic or racial group known as Hutus, also officially identified as such by the government.
2. During the course of 1994, particularly between 6 April and 17 July 1994, there were throughout Rwanda widespread or systematic attacks against a civilian population based on Tutsi ethnic identification. During the attacks soldiers, *interahamwe* militia and armed civilians targeted and attacked Tutsis on the basis that they were Tutsis, with intent to destroy, in whole or in part, the Tutsi ethnic group as such. As a result of the attacks, there were a large number of deaths pf persons of Tutsi ethnic identification.

Count 1: GENOCIDE

The Prosecutor charges **Emmanuel RUKUNDO** with **GENOCIDE**, a crime stipulated in Article 2 (3) (a) of the Statute, in that from 6 April through 17 July 1994, in Rwanda, notably in Gitarama and Cyangugu Prefectures, **Emmanuel RUKUNDO** was responsible for killing or causing serious bodily or mental harm to members of the Tutsi racial or ethnic group with the intent to destroy, in whole or in part, a racial or ethnic group, as such, as outlined in paragraphs 3 through 22 below.

CONCISE STATEMENT OF FACTS FOR COUNT 1

Individual Criminal Responsibility

Pursuant to Article 6 (1) of the Statute, the accused, **Emmanuel RUKUNDO**, is individually responsible for the crime of Genocide because he planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of this crime, with the object, purpose, and foreseeable outcome being the commission of genocide against the Tutsi racial or ethnic group, and persons identified as Tutsis, in Gitarama and Cyangugu Prefectures, Rwanda. With respect to the commission of this crime, **Emmanuel RUKUNDO**, relying on the authority due to his position as a priest and military chaplain in the RAF, ordered, instigated, or aided and abetted soldiers, armed civilians and the *interahamwe* militia, for at least the period of 6 April through 17

July 1994, to do the acts described below in this indictment. The particulars that give rise to his individual criminal responsibility are set forth in paragraphs 3 through 22 below.

3. **Emmanuel RUKUNDO** was known as an extremist. He hated the Tutsi. Since about 1973, he fought against his Tutsi colleagues at the Saint Léon Minor Seminary in Kabgayi. He was expelled from this seminary in 1973, because of his racist tendencies and was known to be sectarian at Nyakibanda Major Seminary, in Butare, by several clergy.
4. After the attack by the Rwandan Patriotic Front (hereinafter, "the RPF") in Rwanda, in October 1990, **Emmanuel RUKUNDO**, while at the Nyakibanda Major Seminary, created and led a group of extremists called *Ngarukiragihugu* to collect money to purchase ammunition and compose songs with extremist passions to support the RAF in fighting the RPF. At that time he swore that he would take to the bush if the RPF won the war.
5. In spite of his attitude, he was ordained a priest in July 1991, by Monsignor Thaddée NSENGIYUMVA, and was appointed as priest of Kanyanza Parish in Gitarama.
6. From 1990 through 1994, **Emmanuel RUKUNDO** showed hatred for Tutsi priests and systematically denounced them as accomplices of the *Inkotanyi*, saying that the Nyakibanda Major Seminary was a bastion of the Tutsi, and that it was difficult to live in such a milieu as a Hutu, and as one who would become a priest.
7. In particular, in the months of April and May 1994, **Emmanuel RUKUNDO** denounced as an *Inkotanyi* one of his colleagues, the priest Alphonse MBUGUJE, declaring him an *inyenzi* collaborator who contributed in funding RPF-*Inkotanyi* activities.
8. In February 1993, **Emmanuel RUKUNDO** was appointed army chaplain in the RAF, a function he exercised during 1994. As army chaplain from 1993 through 1994, **Emmanuel RUKUNDO** dressed in military uniform, bore arms and had armed soldiers as his escort.
9. During February 1994, in reaction to the Arusha Agreements, **Emmanuel RUKUNDO** took the Hutu extremist position and was involved in the campaigns for mobilization of the Hutu against the Tutsi and at that time he stated that Tutsi are a people to destroy and that he must fight against them by all means.
10. Beginning after 6 April 1994, there were widespread and systematic attacks against the Tutsis in Gitarama Prefecture. During this time many Tutsis of this prefecture left their houses to seek refuge in different

places in Kabgayi, including those under the control of the Diocese of Kabgayi, such as Saint Léon Minor Seminary, Saint Joseph College, Kabgayi Major Seminary, Gitarama Parish, a place named "TRAFIPRO", otherwise called "CND", and two primary schools and other facilities. **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the hunting down and killing of Tutsi refugees at these locations, notably as follows:

- (i) In April 1994, **Emmanuel RUKUNDO** moved around in Gitarama, dressed in military uniform, armed with a pistol and an R4 rifle, and escorted by four or five soldiers. Sometime in this month, **Emmanuel RUKUNDO** went to Gitarama Parish hunting for the parish priest Father Juvenal BAMBONEYEHO, accusing him of hiding Tutsis in his parish and threatening that their days were numbered, meaning that Tutsis were all soon to be killed.
- (ii) Between 12 and 15 April 1994, **Emmanuel RUKUNDO**, dressed in military uniform, armed and accompanied by soldiers, stopped at a roadblock around *Imprimerie de Kabgayi*, near the St. Léon Minor Seminary, to talk to and observe the activities of soldiers who were checking the identity cards of persons who passed through the roadblock. Several Tutsis were arrested by soldiers and *interahamwe* at this roadblock and killed nearby. **Emmanuel RUKUNDO's** presence at this roadblock provided encouragement to these soldiers and *interahamwe* to carry on with the killing of Tutsis at this location. **Emmanuel RUKUNDO** thus instigated or aided and abetted the killing of Tutsis at the *Imprimerie de Kabgayi* roadblock.
- (iii) Between 12 and 15 April 1994, **Emmanuel RUKUNDO** brought soldiers to St. Joseph's College, Kabgayi, and ordered or instigated a search of Tutsi refugees purportedly having links with the *Inkotanyi*. During this period, the soldiers killed refugees, including Madame RUDAHUNGA, who was killed at her home. The soldiers also took away Tutsi refugees, including two of Madame RUDAHUNGA's children; a young man named Justin; and a young woman named Jeanne, all Tutsis, to the home of the RUDAHUNGAs, where they had killed Madame

RUDAHUNGA, and grievously beat the two children, Justin, and Jeanne with machetes and left them for dead. **Emmanuel RUKUNDO**, who was at the location at all material times, ordered, instigated, or aided and abetted the killing of Madame RUDAHUNGA and the causing of grievous bodily harm to her two children, and to Justin and Jeanne.

(iv) On or about 15 April 1994, **Emmanuel RUKUNDO** went to the Nyabikenke Commune office in Gitarama where several Tutsis had taken refuge and ordered or instigated policemen to shoot at Tutsi refugees at that location resulting in several deaths. By so doing, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the killing of Tutsis at the Nyabikenke Commune office.

(v) On or about 16 April 1994, **Emmanuel RUKUNDO**, dressed in military uniform, armed, and escorted by armed soldiers, moved about the Bishop's house at Kabgayi, yelling and asking if any Tutsi or "*Inkotanyi*" were hiding there. As a result, Tutsi priests, fearing for their lives, went into hiding. By so doing, **Emmanuel RUKUNDO** caused Tutsis who had taken refuge at the Bishop's house at Kabgayi serious mental harm.

11. During the months of April and May 1994, **Emmanuel RUKUNDO** went regularly to the Saint Léon Minor Seminary at Kabgayi and to the place named TRAFIPRO, otherwise called CND, as he hunted for Tutsis to kill. **Emmanuel RUKUNDO** was dressed in military uniform, armed and had a military escort, and was often accompanied by other soldiers and the *interahamwe* who committed killings of Tutsis at these two locations. His particular actions are described in paragraphs 12, 13, 14 and 15 below.

12. During the months of April and May 1994, **Emmanuel RUKUNDO** visited the Saint Léon Minor Seminary, and identified Tutsi refugees, who were then taken away by soldiers and killed, and on one such occasion he had a list of names of Tutsi refugees to be killed, which list was used by soldiers and *interahamwe* who had accompanied him, to remove and kill the victims. By so doing, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the killing of Tutsis at this location.

13. On diverse dates during the months of April and May 1994, immediately following **Emmanuel RUKUNDO's** departure on several occasions from the Saint Léon Minor Seminary, soldiers and *interahamwe* militiamen, as ordered, instigated, or aided and abetted by him, beat, kicked and whipped Tutsi refugees who had not been taken away to be killed. By subjecting these Tutsis refugees to such brutality, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the causing of serious bodily and mental harm to these victims.
14. On one occasion on or about 15 May 1994, at the Saint Léon Minor Seminary, **Emmanuel RUKUNDO**, armed and escorted by an armed soldier, took a young Tutsi refugee woman into his room, locked the door, and sexually assaulted her. These acts of **Emmanuel RUKUNDO** caused her serious mental harm.
15. During the months of April and May 1994, **Emmanuel RUKUNDO** went several times to a place in Kabgayi named "TRAFIPRO", or otherwise called "CND", to kill Tutsis. On some of these occasions, he was seen in the company of authorities, including Prime Minister Jean KAMBANDA, Bishop Thaddée NSENGIYUMVA of Kabgayi, and others unknown to the Prosecutor. Very soon after each of these visits, soldiers and *interahamwe* militiamen, as ordered, instigated, or aided and abetted by **Emmanuel RUKUNDO**, came back to the CND and killed several Tutsi refugees, and took away other Tutsi refugees and killed or inflicted serious bodily or mental harm upon them.
16. On a date sometime in the period between about 7 April and the end of May 1994, **Emmanuel RUKUNDO** led a group of armed soldiers to Gitarama Parish, Diocese of Kabgayi, Gitarama Prefecture, in search of Tutsi refugees to kill. When **Emmanuel RUKUNDO** did not find the Parish priest whom he accused of being an accomplice of the *Inkotanyi*, he threatened a Tutsi man whom he met, saying that the days of the "*Inkotanyi*" (meaning all Tutsis) were numbered. By so doing, **Emmanuel RUKUNDO** caused this Tutsi man serious mental harm.
17. On or about 14 May 1994, **Emmanuel RUKUNDO** spoke to the Bernadine Sisters, in Nyarugenge secteur and commune in Kigali-Ville Prefecture, describing Father Alphonse MBUGUJE, as an *Inkotanyi* and saying that his whereabouts were known and indicating that Father Alphonse MBUGUJE would be killed. Father Alphonse MBUGUJE was killed on 30 May 1994 by *gendarmes* in Cyangugu Prefecture. As noted in paragraph 7 above, **Emmanuel RUKUNDO** denounced this victim as an *Inkotanyi* to the authorities, and this denunciation contributed substantially to the killing of the victim. **Emmanuel RUKUNDO** thus instigated or aided and abetted the killing of Father Alphonse MBUGUJE.

18. During the month of May 1994, **Emmanuel RUKUNDO** went several times to the Kabgayi Major Seminary, and met the priests staying there, including some Tutsi priests, named Védaste NYIRIBAKWE, Célestin NIYONSHUTI, Tharcise GAKUBA, and one named Callixte MUSONERA. He publicly stated, within the hearing of the Tutsi priests, that the Major Seminary was full of *inyenzi* meaning Tutsis, and that they all must be killed. By his conduct, **Emmanuel RUKUNDO** inflicted serious mental harm on the priests, to whom he had spoken.
19. On or about 24 May 1994, a group of soldiers and *interahamwe*, led by **Emmanuel RUKUNDO**, launched an attack on the Kabgayi Major Seminary. The attackers, using a list, called out, removed and took away about twenty Tutsi clergy men and women and two Tutsi lay persons from the Kabgayi Major Seminary and then killed them. By his conduct, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the killing of these Tutsis.
20. On a date sometime in the second half of May 1994, **Emmanuel RUKUNDO** went to the Bernadine sisters' convent in Nyarugenge secteur and commune in Kigali-Ville Prefecture, and told them that certain Tutsi clergy, including Father Felix NTAGANIRA, Father NIYONSHUTI Celestin, Father Tharcisse GAKUBA, Father Callixte MUSONERA, Father Martin, and Sister Bénigne, had been killed. (In fact, Father Felix NTAGANIRA had escaped death.)
21. **Emmanuel RUKUNDO** left Rwanda after the defeat of the Rwanda army by the RPF in July 1994, and went into exile in Switzerland.

Count 2: MURDER as a CRIME AGAINST HUMANITY.

The Prosecutor charges **Emmanuel RUKUNDO** with **MURDER as a CRIME AGAINST HUMANITY**, a crime stipulated in Article 3 (a) of the Statute, in that from 6 April through 17 July 1994, in Gitarama and Cyangugu Prefectures, Rwanda, **Emmanuel RUKUNDO** is individually responsible for the murder of the persons identified in paragraphs 22 and 23 below as part of a widespread or systematic attack against a civilian population on political, ethnic or racial grounds.

CONCISE STATEMENT OF FACTS FOR COUNT 2

Individual Criminal Responsibility

Pursuant to Article 6 (1) of the Statute, the accused, **Emmanuel RUKUNDO**, is individually responsible for the crime of **MURDER** as a crime against humanity, because he planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of this crime, with the object, purpose, and foreseeable ~~outcome being the commission of~~ crimes against humanity against the Tutsi racial or

ethnic group or persons identified as Tutsi in Gitarama and Cyangugu Prefectures, Rwanda, on racial, ethnic or political grounds. With respect to the commission of this crime, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted soldiers, armed civilians and *interahamwe* for at least the period of 6 April through 17 July 1994, to do the acts described below. The particulars that give rise to his individual criminal responsibility are set forth in paragraphs 22 through 23 below.

22. Between 12 and 15 April 1994, Emmanuel **RUKUNDO** brought soldiers to St. Joseph's College, Kabgayi, and ordered or instigated a search of Tutsi refugees purportedly having links with the INKONTANYI. The soldiers took away Madame RUDAHUNGA and shot and killed her at her home. **Emmanuel RUKUNDO**, who was at the location at all material times, ordered, instigated, or aided and abetted the killing of Madame RUDAHUNGA, a Tutsi.
23. On or about 14 May 1994, **Emmanuel RUKUNDO** spoke to the Bernadine Sisters, in Nyarugenge secteur and commune in Kigali-Ville Prefecture, describing Father Alphonse MBUGUJE, as an *Inkotanyi* and saying that his whereabouts were known and indicating that Father Alphonse MBUGUJE would be killed. Father Alphonse MBUGUJE was killed on 30 May 1994 by *gendarmes* in Cyangugu Prefecture. As noted in paragraph 7 above, **Emmanuel RUKUNDO** denounced this victim as an *Inkotanyi* to the authorities, and this denunciation contributed substantially to the killing of the victim. **Emmanuel RUKUNDO** thus instigated or aided and abetted the killing of Father Alphonse MBUGUJE.

Count 3: EXTERMINATION as a CRIME AGAINST HUMANITY.

The Prosecutor charges **Emmanuel RUKUNDO** with **EXTERMINATION as a CRIME AGAINST HUMANITY**, a crime stipulated in Article 3 (b) of the Statute, in that from 6 April through 17 July 1994, in Gitarama and Cyangugu Prefectures, Rwanda, **Emmanuel RUKUNDO** was individually criminally responsible for extermination as part of a widespread or systematic attack against a civilian population on political, ethnic or racial grounds, as outlined in paragraphs 24 through 30 below.

CONCISE STATEMENT OF FACTS FOR COUNT 3

Individual Criminal Responsibility

Pursuant to Article 6 (1) of the Statute, the accused, **Emmanuel RUKUNDO** is individually responsible for the crime of **EXTERMINATION** as a crime against humanity, because he planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of this crime. With respect to the

commission of this crime, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted soldiers, armed civilians and *interahamwe* for at least the period of 6 April through 17 July 1994, in Gitarama and Cyangugu Prefectures, Rwanda, to do the acts described in paragraphs 24 through 30 below. The particulars that give rise to his individual criminal responsibility are set forth in paragraphs 24 through 30 below.

24. During February 1994, in reaction to the Arusha Agreements, **Emmanuel RUKUNDO** took the Hutu extremist position and was involved in the campaigns for mobilization of the Hutu against the Tutsi and at that time he stated that Tutsi are a people to destroy and that he must fight against them by all means.
25. Beginning after 6 April 1994, there were widespread and systematic attacks against the Tutsis in Gitarama Prefecture. During this time many Tutsis of this prefecture left their houses to seek refuge in different places in Kabgayi, including those under the control of the Diocese of Kabgayi, such as Saint Léon Minor Seminary, Saint Joseph College, Kabgayi Major Seminary, Gitarama Parish, a place named "TRAFIPRO", otherwise called "CND", and two primary schools and other facilities. **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the hunting down and killing of Tutsi refugees at these locations, notably as follows:
 - (i) In April 1994, **Emmanuel RUKUNDO** moved around in Gitarama, dressed in military uniform, armed with a pistol and an R4 rifle, and escorted by four or five soldiers. Sometime in this month, **Emmanuel RUKUNDO** went to Gitarama Parish hunting for the parish priest Father Juvenal BAMBONEYEHO, accusing him of hiding Tutsis in his parish and threatening that their days were numbered, meaning that Tutsis were all soon to be killed.
 - (ii) Between 12 and 15 April 1994, **Emmanuel RUKUNDO**, dressed in military uniform, armed and accompanied by soldiers, stopped at a roadblock around *Imprimerie de Kabgayi*, near the St. Léon Minor Seminary, to talk to and observe the activities of soldiers who were checking the identity cards of persons who passed through the roadblock. Several Tutsis were arrested by soldiers and *interahamwe* at this roadblock and killed nearby. **Emmanuel RUKUNDO's** presence at this roadblock provided encouragement to these soldiers and *interahamwe* to carry on with the killing of Tutsis at this location.

Emmanuel RUKUNDO thus instigated or aided and abetted the killing of Tutsis at the *Imprimerie de Kabgayi* roadblock.

- (iii) Between 12 and 15 April 1994, **Emmanuel RUKUNDO** brought soldiers to St. Joseph's College, Kabgayi, and ordered or instigated a search of Tutsi refugees purportedly having links with the *Inkotanyi*. During this period, the soldiers killed refugees, including Madame RUDAHUNGA, who was killed at her home. The soldiers also took away Tutsi refugees, including two of Madame RUDAHUNGA's children; a young man named Justin; and a young woman named Jeanne, all Tutsis, to the home of the RUDAHUNGAs, where they had killed Madame RUDAHUNGA, and grievously beat the two children, Justin, and Jeanne with machetes and left them for dead. **Emmanuel RUKUNDO**, who was at the location at all material times, ordered, instigated, or aided and abetted the killing of Madame RUDAHUNGA and the causing of grievous bodily harm to her two children, and to Justin and Jeanne.

- (iv) On or about 15 April 1994, **Emmanuel RUKUNDO** went to the Nyabikenke Commune office in Gitarama where several Tutsis had taken refuge and ordered or instigated policemen to shoot at Tutsi refugees at that location resulting in several deaths. By so doing, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the killing of Tutsis at the Nyabikenke Commune office.

- (v) On or about 16 April 1994, **Emmanuel RUKUNDO**, dressed in military uniform, armed, and escorted by armed soldiers, moved about the Bishop's house at Kabgayi, yelling and asking if any Tutsi or "*Inkotanyi*" were hiding there. As a result, Tutsi priests, fearing for their lives, went into hiding. By so doing, **Emmanuel RUKUNDO** caused Tutsis who had taken refuge at the Bishop's house at Kabgayi serious mental harm.

26. During the months of April and May 1994, **Emmanuel RUKUNDO** went regularly to the Saint Léon Minor Seminary, Kabgayi Major Seminar, and to the place named TRAFIPRO, otherwise called CND, as he hunted for Tutsis to kill. **Emmanuel RUKUNDO** was dressed in

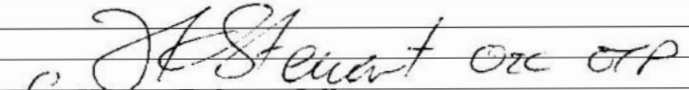
military uniform, armed and had a military escort, and was often accompanied by other soldiers and the *interahamwe* who committed killings of Tutsis at these two locations. His particular actions are described in paragraphs 27, 28, 29 and 30 below.

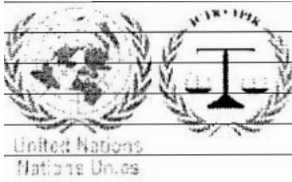
27. During the months of April and May 1994, **Emmanuel RUKUNDO** visited the Saint Léon Minor Seminary, and identified Tutsi refugees, who were then taken away by soldiers and killed, and on one such occasion he had a list of names of Tutsi refugees to be killed, which list was used by soldiers and *interahamwe* who had accompanied him, to remove and kill the victims. By so doing, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the killing of Tutsis at this location.
28. During the month of May 1994, **Emmanuel RUKUNDO** went several times to the Kabgayi Major Seminary, and met the priests staying there, including some Tutsi priests, named Védaste NYIRIBAKWE, Célestin NIYONSHUTI, Tharcise GAKUBA, and one named Callixte MUSONERA. He publicly stated, within the hearing of the Tutsi priests, that the Major Seminary was full of *inyenzi* meaning Tutsis, and that they all must be killed. By his conduct, **Emmanuel RUKUNDO** inflicted serious mental harm on the priests, to whom he had spoken.
29. On or about 24 May 1994, a group of soldiers and *interahamwe*, led by **Emmanuel RUKUNDO**, launched an attack on the Kabgayi Major Seminary. The attackers, using a list, called out, removed and took away about twenty Tutsi clergy men and women and two Tutsi lay persons from the Kabgayi Major Seminary and then killed them. By his conduct, **Emmanuel RUKUNDO** ordered, instigated, or aided and abetted the killing of these Tutsis.
30. On a date sometime in the second half of May 1994, **Emmanuel RUKUNDO** went to the Bernadine sisters' convent in Nyarugenge secteur and commune in Kigali-Ville Prefecture, and told them that certain Tutsi clergy, including Father Felix NTAGANIRA, Father NIYONSHUTI Celestin, Father Tharcisse GAKUBA, Father Callixte MUSONERA, Father Martin, and Sister Bénigne, had been killed. (In fact, Father Felix NTAGANIRA had escaped death.)

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The acts and omissions of Emmanuel RUKUNDO detailed herein are punishable pursuant to Articles 22 and 23 of the Statute of the Tribunal.

Done in Arusha, Tanzania, this 6th October 2006


for Hassan Bubacar Jallow
Prosecutor



TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

COURT MANAGEMENT SECTION
(Art. 27 of the Directive for the Registry)

I - GENERAL INFORMATION (To be completed by the Chambers / Filing Party)

To:	N. M. Diallo <input type="checkbox"/> Chief, CMS J.-P. Fomété	R. N. Kouambo <input type="checkbox"/> Deputy Chief, CMS M. Diop	C. K. Hometowu <input type="checkbox"/> Chief, JPU, CMS M. Diop	F. A. Talon <input type="checkbox"/> Appeals Chamber / The Hague R. Muzigo-Morrison K. K. A. Afande
From:	<input type="checkbox"/> Chamber	<input type="checkbox"/> Defence	<input checked="" type="checkbox"/> Prosecutor's Office James Stewart	<input type="checkbox"/> Other:
Case Name:	The Prosecutor vs. Aloys Simba E. RUKUNDO			Case Number: ICTR-2001-70-PT (Emmanuel Rukundo)
Dates:	Transmitted: 6 October 2006		Document's date: 3 October 2006	
No. of Pages:	13	Original Language:	<input checked="" type="checkbox"/> English	<input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda
Title of Document:	PROSECUTOR'S FILING OF AMENDED INDICTMENT PURSUANT TO TRIAL CHAMBER'S DECISION OF 28 SEPTEMBER 2006			
Classification Level:	TRIM Document Type:			
<input type="checkbox"/> Ex Parte	<input checked="" type="checkbox"/> Indictment	<input type="checkbox"/> Warrant	<input type="checkbox"/> Correspondence	<input type="checkbox"/> Submission from non-parties
<input type="checkbox"/> Strictly Confidential / Under Seal	<input type="checkbox"/> Decision	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal	<input type="checkbox"/> Submission from parties
<input type="checkbox"/> Confidential	<input type="checkbox"/> Disclosure	<input type="checkbox"/> Order	<input type="checkbox"/> Appeal Book	<input type="checkbox"/> Accused particulars
<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Judgement	<input type="checkbox"/> Motion	<input type="checkbox"/> Book of Authorities	

II - TRANSLATION STATUS ON THE FILING DATE (To be completed by the Chambers / Filing Party)

CMS SHALL take necessary action regarding translation.

Filing Party hereby submits only the original, and **will not submit** any translated version.

Reference material is provided in annex to facilitate translation.

Target Language(s):

English French Kinyarwanda

CMS SHALL NOT take any action regarding translation.

Filing Party hereby submits **BOTH the original and the translated version** for filing, as follows:

Original	in	<input type="checkbox"/> English	<input type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda
Translation	in	<input type="checkbox"/> English	<input type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda

CMS SHALL NOT take any action regarding translation.

Filing Party **will be submitting the translated version(s)** in due course in the following language(s):

English French Kinyarwanda

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<input type="checkbox"/> The OTP is overseeing translation. The document is submitted for translation to: <input type="checkbox"/> The Language Services Section of the ICTR / Arusha. <input type="checkbox"/> The Language Services Section of the ICTR / The Hague. <input type="checkbox"/> An accredited service for translation; see details below: Name of contact person: Name of service: Address: E-mail / Tel. / Fax:	<input type="checkbox"/> DEFENCE is overseeing translation. The document is submitted to an accredited service for translation (fees will be submitted to DCDMS): Name of contact person: Name of service: Address: E-mail / Tel. / Fax:
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III - TRANSLATION PRIORITISATION (For Official use ONLY)

<input type="checkbox"/> Top priority	COMMENTS	<input type="checkbox"/> Required date:
<input type="checkbox"/> Urgent		<input type="checkbox"/> Hearing date: