



**International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda**

Arusha International Conference Centre

P.O.Box 6016, Arusha, Tanzania - B.P. 6016, Arusha, Tanzanie

UNITED NATIONS
NATIONS UNIES

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CERTIFICATE

**The Prosecutor v. Fulgence KAYISHEMA
Case # ICTR-2001-67-I**

This is to certify that the attached document entitled "Warrant of Arrest and Order for Transfer" bearing the seal of the tribunal is filed in lieu of the document with the same title filed on 4 July 2001 and numbered 103 - 101.

Done in Arusha this 15 June 2006

**Matar DIOP
Deputy Chief CMS**

ICTR-2001-67-I
4-7-2001
(103-101)

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Original: English

Case No. ICTR-2001-67-I

Before: Judge Lloyd George Williams, Presiding Judge Trial Chamber III

Registrar: Mr. Adama Dieng

Date: 4 July 2000

THE PROSECUTOR

v.

FULGENCE KAYISHEMA

JUDICIAL RECORDS SECTION
ICTR
2001 JUL -4 P 5 07
[Signature]

WARRANT OF ARREST AND ORDER FOR TRANSFER

TO: All Member States of the United Nations:

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME
COPIE CERTIFIÉE CONFORME À L'ORIGINAL PAR NOUS

NAME / NOM: AMINATTA L.R. N'GUM
SIGNATURE: *[Signature]* DATE: 07/11/2001

1. **THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA** (the "Tribunal"),

SITTING as Judge Lloyd George Williams, designated by the President of the Tribunal pursuant to Rule 28 of the Tribunal's Rules of Procedure and Evidence of the Tribunal (the "Rules");

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) and 28 of the Statute of the Tribunal (Statute) and Rules 40 and 54 to 61;

CONSIDERING the indictment against the accused, FULGENCE KAYISHEMA (the "Accused") confirmed on 3 July 2001 (the Indictment"); and

CONSIDERING that an Order for the non-disclosure of the Indictment, Confirmation Order and Warrant of Arrest were granted on 3 July 2001.

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

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

FULGENCE KAYISHEMA

a Rwandan citizen, born in 1961, originally from Kivumu commune, Kibuye *préfecture*, in the Republic of Rwanda, who is accused of having committed during 1994 in Rwanda the following crimes under the Tribunal's Statute: Genocide (Article 2(3)), Complicity in Genocide (Article 2(3)(e)), Conspiracy to Commit Genocide (Article (2)(3)(b)), and Extermination as a Crime Against Humanity (Article 3).

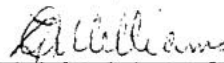
- (b) **SEARCH AND SEIZE** all physical evidence related to the crimes alleged to have been committed by FULGENCE KAYISHEMA, create a detailed itemized inventory that is properly witnessed and acknowledged by the Accused, and transfer said evidence and the inventory to the Office of the Prosecutor in Arusha, Tanzania;
- (c) **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 accordance with Rule 47(g) 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;
- (d) **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;

- (e) **CAUTION** the Accused that any statement made by him shall be recorded and may be used as evidence against him;
- (f) **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
- (g) **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);
- (h) **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;

3. The Tribunal further

ORDERS that the Accused, **FULGENCE KAYISHEMA** be remanded into the custody of the Tribunal's detention facility upon his transfer to the seat of the Tribunal, at Arusha, Tanzania.

Arusha, 4 July 2001.



Lloyd G. Williams
Judge



Seal of the Tribunal