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ICTR-98-44-I



International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda

ICTR
CRIMINAL REGISTRY
RECEIVED

1998 OCT 10 P 12 52

Before: Judge Navanethem Pillay

OR: ENG

Registry: Mr. Antoine Kesia-Mbe Mindua

Decision of: 8 October 1998

THE PROSECUTOR

VERSUS

EDOUARD KAREMERA

ANDRÉ RWAMAKUBA
MATHIEU NGIRUMPATSE
JOSEPH NZIROREA

JUVENAL KAJELIJE

Case No. ICTR-98-44-I

WARRANT OF ARREST AND ORDER FOR TRANSFER AND DETENTION

The Office of the Prosecutor:

Mr. James K Stewart
Mr. Mohammed Dyak
Mr. Robert Petit

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:	PRISCA NYAMBE
SIGNATURE:	DATE: 10.10.98

98-44/ord/wararrest/eng

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THE INTERNATIONAL CRIMINAL TRIBUNAL for RWANDA (the "TRIBUNAL"),

SITTING AS Judge Navanethem Pillay, designated by the President of the Tribunal according to Rule 28 of the Rules of Procedure and Evidence ("the Rules");

CONSIDERING Articles 18 (2), 19(2) and 28 of the Statute of the Tribunal ("the Statute"), and Rules 40 and 54 to 59 *bis* of the Rules of Procedure and Evidence (the "Rules");

CONSIDERING the indictment against André Rwamakuba (the "accused"), together with seven others was confirmed on 29 August 1998;

CONSIDERING that an order for non disclosure of the indictment had been granted on 29 August 1998;

CONSIDERING that the accused is believed to be working as a medical doctor in Windhoek, Namibia;

HEREBY RESPECTFULLY

REQUESTS the Government of the Republic of Namibia to :

(i) search for, arrest and transfer to the Tribunal:

André Rwamakuba,
a Rwandan citizen from Gikomero *commune*, Kigali-Rural *prefecture*, Republic of Rwanda,
(date of birth unknown);

who is accused of having committed, during 1994 in Rwanda, the following crimes: direct and public incitement to commit genocide, genocide, complicity in genocide, conspiracy to commit genocide, crimes against humanity, and serious violations of Article 3 common to the 1949 Geneva Conventions and of Additional Protocol II thereto,

(ii) serve on the accused at the time of arrest a certified copy of the redacted warrant of arrest accompanied by a copy of the redacted indictment certified in accordance with Rule 47 (G) of the Rules 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;

(iii) serve on the accused the redacted warrant of arrest, the redacted indictment and the statement of rights of the accused in a language he understands, in the event of him being unable to understand either of the Tribunal's official languages and provided the language understood by the accused is known to the Registrar;

(iv) caution the accused that any statement made by him shall be recorded and may be used as evidence against him;

(v) report forthwith to the Registrar of the Tribunal if it is unable to execute the present warrant of arrest and order for transfer, indicating the reasons for its inability to give effect

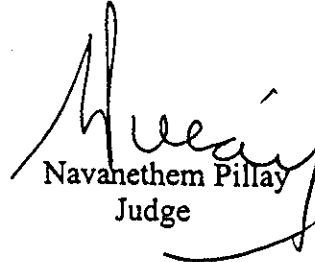
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ORDERS

(i) that this warrant of arrest be redacted by removing the names of all the accused who have not as yet been arrested.

(ii) that the accused, **André Rwamakuba** be remanded in custody in the Tribunal's detention facility upon his transfer from the Republic of Namibia.

Arusha, 8 October 1998


Navanethem Pillay
Judge

(Seal of the Tribunal)

