



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

THE APPEALS CHAMBER

Before:

Judge Claude JORDA, Presiding
Judge Mohamed SHAHABUDDEEN
Judge David HUNT
Judge Fausto POCAR
Judge Theodor MERON

Registrar: Mr. Adama DIENG

Decision of: 3 July 2002

THE PROSECUTOR

(Appellant)

v.

IGNACE BAGILISHEMA

(Respondent)

Case No. ICTR-95-1A-A

JUDGEMENT

Counsels for the Appellant

Ms. Carla DEL PONTE
Mr. Norman FARRELL
Ms. Sonjia BOELAERT-SUOMINEN
Mr. Mathias MARCUSSEN

Counsel for the Respondent

Mr. Francois ROUX
Mr. Maroufa DIABIRA

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 and 31 December 1994 (the “Appeals Chamber” and the “Tribunal” respectively) is seized of the appeal filed by the Prosecutor on 9 July 2001 against the Judgement rendered by the Trial Chamber I of the Tribunal on 7 June 2001, in the case of *The Prosecutor v. Ignace Bagilishema*. Case No. ICTR-95-1A-T;

PURSUANT TO Article 24 of the Statute of the Tribunal and Rule 118 of the Rules of Procedure and Evidence.

CONSIDERING the written submissions of the parties and their oral arguments at the hearing of 2 July 2002,

SITTING in open court,

UNANIMOUSLY DISMISSES the arguments of Ignace Bagilishema regarding the inadmissibility of the Prosecutor’s Appeal;

UNANIMOUSLY DISMISSES the appeal filed by the Prosecutor against the Judgement of the Trial Chamber delivered on 7 June 2001 and will provide the parties with its reasons in due course;

AFFIRMS the acquittal pronounced by the Trial Chamber with regard to all the counts of the Indictment;

FINDS it is therefore unnecessary to pronounce on all the Motions filed by Ignace Bagilishema pursuant to Rule 115 of the Rules of Procedure and Evidence and on the Motion for Protection of Defence Witnesses;

ORDERS the immediate release of Ignace Bagilishema;

FINDS that it is therefore unnecessary to pronounce on the “*Requête urgente de l’Intimé en demande de main levée de contrôle judiciaire*” filed on 2 July 2002;

RULES that this judgement shall be enforced immediately pursuant to Rule 119 of the Rules of Procedure and Evidence.

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

Claude Jorda
Presiding Judge

Mohamed
Shahabuddeen
Judge

David Hunt
Judge

Fausto Pocar
Judge

Theodor Meron
Judge

Dated this third day of July 2002

At Arusha, Tanzania

[Seal of the Tribunal]