



UNITED NATIONS  
NATIONS UNIES

**International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda**

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OR: ENG

**TRIAL CHAMBER III**

**Before:** Judge Dennis C. M. Byron  
*Confirming Judge*

**Registrar:** Adama Dieng

**Date:** 28 January 2008

**THE PROSECUTOR**

**v.**

**Léonidas NSHOGOZA**

*Case No. ICTR-2007-91-R55bis*

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**WARRANT OF ARREST AND ORDER FOR TRANSFER AND  
DETENTION ADDRESSED TO ALL STATES**

*Pursuant to Rule 55bis of the Rules of Procedure and Evidence*

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**Office of the Prosecutor:**

Hassan Bubacar Jallow  
Richard Karegyesa  
Renifa Madenga  
Abdoulaye Seye  
Dennis Mabura

**THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA** (“Tribunal”)

**SITTING** as Judge Dennis C.M. Byron, designated by the President of the Tribunal pursuant to Rule 28 of the Rules of Procedure and Evidence (“Rules”);

**CONSIDERING** the Indictment confirmed against Léonidas Nshogoza on 4 January 2008, and **RECALLING** the protective measures ordered in the same decision;

**RECALLING** the warrant of arrest and order for transfer and detention addressed to Rwanda on 4 January 2008;

**CONSIDERING** the *ex parte* and confidential submissions made by the Prosecution as to the fact that the Accused has “fled or absconded from Rwanda and is believed to be on the move from State to State”;<sup>1</sup>

**CONSIDERING** that the *ex parte* and confidential nature of the submissions is justified by the present circumstances of the case;

**CONSIDERING** Articles 18, 19 and 28 of the Statute and Rules 40 and 54, 55, 55*bis*, 56, 57, 58 and 59 of the Rules; and

**CONSIDERING** that the circumstances require to extend the warrant of arrest and the order for transfer and detention to all States, pursuant to Rule 55*bis* of the Rules;

**HEREBY****I. REQUESTS** all States to:

- (i) **ARREST** and **TRANSFER** Léonidas NSHOGOZA, a Rwandan citizen born in 1961 in Rukeri, Kiyumba, Muhanga (Rwanda) to the Tribunal;
- (ii) **SERVE** on the Accused, upon his arrest, a certified copy of the 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* Rules 42 and 43;
- (iii) **MAKE** inquiries with a view to discovering whether the Accused has assets located within the territory of the State and, if so, to adopt provisional measures to freeze such assets, without prejudice to the rights of third parties;
- (iv) **CAUTION** the Accused that any statement made by him shall be recorded and may be used as evidence against him;

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<sup>1</sup> Prosecutor’s *Ex Parte* Motion for the Variation of Warrant of Arrest and Order for Transfer and Detention Dated 4<sup>th</sup> January 2008, filed on 24 January 2008.

- (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 enforce it, pursuant to Rules 59(A) of the Rules;
- II. ORDERS** that this order be confidential until service to the Accused;
- III. ORDERS** that the Accused be remanded in custody at the United Nations Detention Facility in Arusha upon his transfer from the State in which he is arrested.

Arusha, done in English, 28 January 2008.

Dennis C. M. Byron  
*Confirming Judge*