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THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR RWANDA

CASE No. ICTR-98-44-T

IN TRIAL CHAMBER No. 3

Before: Judge Dennis C.M. Byron, Presiding
Judge G. Gustave Kam
Judge Vagn Joensen

Registrar: Mr. Adama Dieng

Date Filed: 10 February 2010

THE PROSECUTOR

v.

JOSEPH NZIRORERA

JUDICIAL FILES ARCHIVES
RECORDED

2010 FEB 10 A 9:14
A. K. K. K.

JOSEPH NZIRORERA'S SUBMISSION OF RULE 92 bis
CERTIFIED STATEMENT: GRATIEN KABILIGI

The Office of the Prosecutor:

Mr. Don Webster
Mr. Saidou N'Dow
Mr. Takeh Sendze

Defence Counsel:

Mr. Peter Robinson
Mr. Patrick Nimy Mayidika Ngimbi

Counsel for Co-Accused:

Ms. Dior Diagne Mbaye and Mr. Felix Sow for Edouard Karemera
Ms. Chantal Hounkpatin and Mr. Frederick Weyl for Mathieu Ngirumpatse

50294

1. Joseph Nzirorera hereby submits, pursuant to the Trial Chamber's *Decision on Joseph Nzirorera's Motion to Admit Statement of Gratién Kabiligi* (4 February 2010), the attached statement and certification to be filed and requests that it be given an exhibit number.

Respectfully submitted,



PETER ROBINSON
Lead Counsel for Joseph Nzirorera

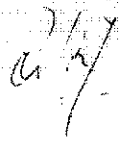
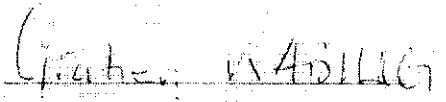
50093

Statement of Gratien Kabiligi

I, Gratien Kabiligi, hereby declare under penalty of perjury that the following is true and correct:

- 1. I was the head of the G-3 bureau on the General Staff of the Rwandan Army from September 1993 to July 1994.
- 2. I have been acquitted at this Tribunal in December 2008.
- 3. I have been advised that at the trial of Joseph Nzirorera, Prosecution Witness UB has testified that I was present at a meeting at the Kigali prefecture office in late April 1994 at which Joseph Nzirorera attended and at which the prefet of Kigali, conseillers, and Interahamwe were present.
- 4. I never attended or heard of such a meeting.

Dated: 25 January 2010



50092



International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda

UNITED NATIONS
NATIONS UNIES

Arusha International Conference Centre

P.O. Box 6016, Arusha, Tanzania

Tel: 255 27 2504207-11/2504367-72 or 1 212 963 2850 --- Fax: 255 27 2504000/2504373 or 1 212 963 2848

**ATTESTATION BY THE PRESIDING OFFICER PURSUANT TO
RULE 92 BIS (B)**

I, CONSTANT HOMETOWN, Presiding Officer appointed by the Registrar of the International Criminal Tribunal for Rwanda on 20 JULY 2009 pursuant to Rule 92 bis of the Rules of Procedure and Evidence, with the assistance of a certified interpreter, certify:

That on 9 FEB 2010 in ARUSHA - TANZANIA

The following person appeared:

Witness's First and Last name(s) GRATIEN KABILIGI
Date and Place of Birth: 18 DEC 1951, RUSUNYU
Identity-, or Passport No.: N/A
Habitual Residence: ARUSHA

- That in the attached statement (s) dated 25 JAN. 2010 and Addendum if applicable, N/A certified by the undersigned on 9 FEB 2010 the said, GRATIEN KABILIGI is identified as his (her) author;
- That the above-mentioned witness was provided with a version of the said statement in a language that he (she) understands;
- That the above-mentioned witness was informed, in a language that he (she) understands, by the Presiding Officer that if the contents of the written statement are not true to the best of his (her) knowledge and belief then he or she may be subject to proceedings for giving false testimony;

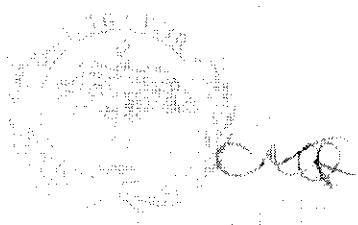
- That the above-mentioned witness was provided with a text of Rule 91 of the Rule of Procedure and Evidence, in a language he (she) understands;
- That the above-mentioned witness declared that the content of his (her) written statement are true and correct to the best of his (her) knowledge and belief;
- That no pressure was brought to bear on the witness and that he (she) voluntarily signed the attached declaration dated 25 JAN 2010;
- That the following persons were present during the said declaration:

DANIEL NTAWUMENYUMUNSI INVESTIGATOR
~~_____~~
 _____ 9/02/10

Additional remarks:

Done this 9 FEB 2010
 At ARUSHA - TANZANIA

Signature of the Presiding Officer
[Signature]



S0090



International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda

Arusha International Conference Centre
P.O. Box 6016, Arusha, Tanzania
Tel: 255 27 2504207-11/2504367-72 or 1 212 963 2850 — Fax: 255 27 2504000/2504373 or 1 212 963 2848

WITNESS DECLARATION PURSUANT TO RULE 92 BIS (B)

Witness's First and Last name(s) GRATIEN KABILIQI

Date and Place of Birth: 18 DEC 1951, RUSUNYU

Identity-, or Passport No.: N/A

Habitual Residence: ARUSHA

Presiding Officer: CONSTANT HOMETOWN

I, GRATIEN KABILIQI the undersigned, hereby confirm that the content of the written statement(s) I made on 25 JANVIER 2010 is true and correct to the best of my knowledge.

Done in ARUSHA on 9 FEVRIER 2010

Signature



THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR RWANDA

TRIAL CHAMBER No. 3

CASE No. ICTR-98-44-T

PERSONAL INFORMATION SHEET FOR
NZIRORERA DEFENCE WITNESS

Name: Gratien KABILIGI

Date of Birth: 18 December 1951

Gender: Male

Nationality: Rwandan

Ethnicity: Hutu

Occupation:
Current: Acquitted person

1994 : Army Officer

Place of Birth:

Cellule Commune: Kamembe

Secteur Rusunyu Prefecture Cyangugu

Residence in 1994:

Cellule Kiyovu Commune Nyarugenge

Secteur Nyarugenge Prefecture Kigali Ville

Current residence:

Arusha

Father's name: Joseph RWABAGUMA

Mother's name: Elizabeth MUKARUHARA



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:	<input type="checkbox"/> Trial Chamber I N. M. Diallo	<input type="checkbox"/> Trial Chamber II R. N. Kouambo	<input checked="" type="checkbox"/> Trial Chamber III C. K. Hometownu
	<input type="checkbox"/> OIC, JLSD P. Besnier	<input type="checkbox"/> OIC, JPU C. K. Hometownu	<input type="checkbox"/> F. A. Talon (Appeals/Team IV)
From:	<input type="checkbox"/> Chamber (names)		<input checked="" type="checkbox"/> Defence Peter Robinson (names)
	<input type="checkbox"/> Prosecutor's Office (names)		<input type="checkbox"/> Other: (names)
Case Name:	The Prosecutor vs. Karemera et al		Case Number: ICTR-98-44-T
Dates:	Transmitted: 10 February 2010		Document's date: 10 February 2010
No. of Pages:	7	Original Language:	<input checked="" type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda
Title of Document:	JOSEPH NZIRORERA'S SUBMISSION OF RULE 92 bis CERTIFIED STATEMENT: GRATIEN KABILIGI		
Classification Level:		TRIM Document Type:	
<input type="checkbox"/> Ex Parte <input type="checkbox"/> Strictly Confidential / Under Seal <input type="checkbox"/> Confidential <input checked="" type="checkbox"/> Public		<input type="checkbox"/> Indictment <input type="checkbox"/> Warrant <input type="checkbox"/> Correspondence <input type="checkbox"/> Decision <input type="checkbox"/> Affidavit <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Disclosure <input type="checkbox"/> Order <input type="checkbox"/> Appeal Book <input type="checkbox"/> Judgement <input type="checkbox"/> Motion <input type="checkbox"/> Book of Authorities	
		<input type="checkbox"/> Submission from non-parties <input checked="" type="checkbox"/> Submission from parties <input type="checkbox"/> Accused particulars	

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 checked="" 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

KINDLY FILL IN THE BOXES BELOW

<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:
<input type="checkbox"/> Normal		<input type="checkbox"/> Other deadlines: