

ICTR-98-41  
17-10-2012  
(40778-4776)

40778



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

**OFFICE OF THE PRESIDENT**

**ENGLISH  
Original: FRENCH**

Before: Judge Van Joensen, presiding  
Registrar: Adama Dieng  
Date: 29 June 2012

**RE:**

**Gratien Kabiligi**

UNICTR  
JUDICIAL RECORDS SECTION

2012 OCT 17 A 11: 29

**NOTICE OF INTENTION TO CLAIM DAMAGES**

For Gratien Kabiligi:

Philippe Larochelle

## INTRODUCTION

1. Mr Gratién Kabiligi (“Kabiligi”) hereby notifies the President of the International Criminal Tribunal for Rwanda (“ICTR”) of his intention to claim compensatory and exemplary damages following his detention by the ICTR.
2. Kabiligi is currently unemployed and without resources, and entirely depends on the Tribunal’s generosity and assistance for filing his claim and meeting his basic needs.
3. He however believes that his rights have been violated; in particular, he intends to prove that he was wrongly imprisoned during that period mainly because of the dishonesty and nonchalance of the Prosecutor of the ICTR.
4. But he has today neither the facilities nor the resources nor the time to file his claim.
5. Kabiligi also believes that it is necessary to file this notice so that his claim can be considered by the Tribunal rather than by the Residual Mechanism, whose operations and functions he is not familiar with.
6. Lastly, on the basis of the Decision rendered on 18 June 2012 in *Zigiranyirazo v. The Prosecutor*, ICTR-2001-01-073, (paras. 19 and 21), suggesting that there is a time limit before the ICTR with respect to claims for damages arising from violations of fundamental rights by the same ICTR, Bicomumpaka [*sic*] files this notice of intention to claim damages in order to challenge such time limit; moreover, Kabiligi categorically contests the existence of such time limit.

**FOR THESE REASONS, MAY IT PLEASE THE TRIBUNAL**

**TO GRANT** this notice of intention to claim damages;

**TO FIND** the time limit invalidated with regard to Kabiligi's claim of damages.

29 June 2012

[Signed]

Philippe Larochelle

338 Rue St-Antoine Est, bureau 300

Montreal (Quebec), H2Y 1A3

Canada

[philippe.larochelle@gmail.com](mailto:philippe.larochelle@gmail.com)

-----