

ICTR-09-SP
17-10-2012
36255-36253

36255



**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:

Jérôme Bicomumpaka

UNICTR
JUDICIAL RECORDS/ARCHIVES
RECORDS SECTION

2012 OCT 17 A 11:29

NOTICE OF INTENTION TO CLAIM DAMAGES

For Jérôme Bicomumpaka:

Philippe Larochelle

INTRODUCTION

1. Mr Jérôme Bicomumpaka ("Bicomumpaka") hereby notifies the President of the International Criminal Tribunal for Rwanda ("ICTR") of his intention to claim compensatory and exemplary damages following his detention for 4,560 days by the ICTR.
2. Bicomumpaka was arrested in Cameroon on 6 April 1999 and acquitted by the ICTR on 30 September 2011.
3. Since his acquittal, he has deployed all his efforts to assembling papers for an application for a family reunion which he hopes to present to the Canadian authorities as soon as possible, so that he can meet his wife and two children in Montreal, Canada.
4. He 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.
5. He however believes that his rights have been violated during the proceedings; 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.
6. But he has today neither the facilities nor the resources nor the time to file his claim.

7. Bicamumpaka 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.

8. 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 for claiming damages arising from violations of fundamental rights by the same ICTR, Bicamumpaka files this notice to challenge such time limit; moreover, Bicamumpaka 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 respect to Bicamumpaka's claim of damages.

29 June 2012

[Signed]

Philippe Larochelle

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