



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

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Tribunal Releases Bagilishema on Conditions

Trial Chamber 1 today ordered the conditional release of Ignace Bagilishema, whom it acquitted on 7 June 2001 on seven counts of Genocide, Crimes against Humanity, and Serious Violations of the Geneva Conventions.

The decision to release Bagilishema was made in response to the Prosecutor's request under Rule 99(B) of the Tribunal's Rules of Procedure and Evidence, for a new arrest warrant and an order for continued detention of Bagilishema pending the Prosecutor's appeal against the judgement. The Defence argued that Bagilishema, as an acquitted man, should be released immediately.

Chamber 1 ordered that Bagilishema is immediately released on the following conditions:

- that he provide two persons of good standing acceptable to the Tribunal as sureties, who can guarantee his attendance when requested by the Tribunal. Their particulars shall be communicated to the Tribunal;
- that he provide an address where he will reside and undertake to inform the Tribunal and the local police nearest his residence in case of any change of address; that he report on the last Monday of each month at the local police nearest to his residence;
- that he not travel outside the country of his residence without the written permission of the Tribunal; that his travel documents be retained by the local police, unless directed otherwise by the Tribunal.

It directed the Registrar to release immediately Ignace Bagilishema, when satisfied that these conditions have been met and the necessary practical arrangements made, including required consultations with relevant national and international authorities.

The Chamber weighed the risk that Bagilishema would abscond during the appeals proceedings - which was the Prosecutor's main argument - and the fact that he had been acquitted and should exercise his fundamental right to liberty.

As the Prosecution had accepted that conditions could be imposed on Bagilishema as an alternative to continued detention and the Defence had agreed to such conditions if the Chamber so required, the Chamber was of the opinion that a conditional release would ensure the fundamental right to liberty of an acquitted person while guaranteeing that Bagilishema does not abscond during the appeals proceedings.

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