

Arusha, August 16, 2010 (FH) - Trial Chamber III of the International Criminal Tribunal for Rwanda (ICTR) has formally terminated the prosecution's case against Joseph Nzirorera, former Secretary General of the then Rwandan ruling party, MRND, following his sudden death on July 1, 2010.

"Criminal responsibility is individual and personalized and the Chamber cannot exercise jurisdiction over a person who is deceased. Therefore, the proceedings against Joseph Nzirorera must be terminated effective July 1, 2010," the Chamber presided over by Judge Dennis Byron stated in its decision read Monday on the ICTR website.

In the case, Nzirorera was charged jointly with his co-top MRND leaders, President Mathieu Ndirumpatse and his Vice-President Edouard Karemera for crimes allegedly committed by members of their party. Nzirorera died on July 1, in Arusha before completion of his defence case.

Following the decision, the Chamber has decided to hold a status conference on Monday (August 23) to allow the prosecution and defence to discuss legal consequences of the case. The Chamber has invited the parties to make submissions by August 20, on how the death of Nzirorera impacts the proceedings.

Nziriorera's case is unique comparing to other deceased. Jean Bosco Barayagwiza, former Director of Foreign Affairs in the Ministry of Foreign Affairs, died on 25 April 2010 in Benin after he had been convicted by Trial Chamber and the Appeals Chamber.

The Seventh Day Adventist Church Pastor Elizaphan Ntakirutimana sentenced to ten years imprisonment died on January 22, 2007 in Arusha, shortly after being released as he had completed serving his jail term.

Joseph Serugendo, a member of the National Committee of the Interahamwe militia, jail six years passed away on August 22, 2006 in Nairobi after he had pleaded guilty to charges he was facing, while Anglican Bishop Samuel Musabyimana died on January 24, 2003 in Tanzania before the start of his case.

Nzirorera was buried in Belgium, while Barayagwiza was laid to rest in Paris. Ntakirutimana was buried in Tanzania while Serugendo was cremated in Nairobi whereas Musabyimana was buried in Rwanda.

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