

# **IN THE TRIAL CHAMBER OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA**

**RE: The Prosecutor of the Tribunal against Jean-Paul Akayesu**

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## **AMICUS BRIEF RESPECTING AMENDMENT OF THE INDICTMENT AND SUPPLEMENTATION OF THE EVIDENCE TO ENSURE THE PROSECUTION OF RAPE AND OTHER SEXUAL VIOLENCE WITHIN THE COMPETENCE OF THE TRIBUNAL**

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*The undersigned women's human rights legal scholars and non-governmental organizations, who have worked to ensure recognition of and accountability for violence against women in the UN system, and, in particular, to guarantee gender justice in the operation of the International Criminal Tribunals, hereby request, pursuant to Tribunal Rule 74, leave to file the following brief amicus curiae:*

### **Introduction -**

1. Amici are concerned that the International Criminal Tribunal for Rwanda fulfill its mandate to ensure the prosecution of serious violations of humanitarian and human rights law including rape and other serious forms of sexual violence which comprise war crimes, crimes against humanity and genocide within the competence of the Tribunal under Articles 2-4 of the *Statute for the International Tribunal for Rwanda*, (Statute).

2. Amici recall that the full and fair prosecution of sexual violence, required by the Tribunal Statute and Rules, is also within the mandate of the community of nations forged at the 1993 World Conference on Human Rights. The Vienna Declaration and Programme of Action states that "the human rights of women and the girl-child are an inalienable, integral, and indivisible part of universal human rights" and that gender issues are a "priority" issue and must be integrated in all aspects of the functioning of the human rights system.

**Reference:** *Vienna Declaration and Programme of Action* para.18, 38. General Assembly, World Conference on Human Rights, U.N. Doc. A/Conf. 157/23 (12 July 1993) paras. 18, 38.

3. Accordingly, amici call upon the Trial Chamber to exercise its supervisory authority, under the Tribunal Statute and the Rules, to

- call upon the Prosecutor to amend the indictment against Jean-Paul Akayesu to charge rape or other serious acts of sexual violence as crimes within the competence of the Tribunal;

- evaluate whether to supplement the record on such charges either through calling its own witnesses pursuant to Tribunal Rule 98, or through calling upon the Prosecutor to consider supplementing the investigation and/or evidence in this case.
- examine why none of the indictments issued thus far have included charges of rape or other forms of sexual assault. despite reliable reports documenting widespread rape and other forms of sexual violence committed by the Hutu as part of the widespread and genocidal violence, and, thereby, indicating the availability of probative evidence, --

4. This brief will demonstrate (1) that the Trial Chamber that has the authority and responsibility to ensure that rape and other forms of sexual violence be properly charged and presented at trial and (2) that a factual and legal basis exists to warrant its intervention in this regard.

5. This intervention is precipitated by concern that the Prosecutor has not charged rape and sexual violence, despite testimony in the record, and other documentation indicating the availability of other probative evidence, that sexual violence was part of a campaign of violence constituting genocide, crimes against humanity, and war crimes under Articles 2, 3, and 4 of the Statute; and despite evidence that Akayesu is criminally responsible for this violence under Article 6(1) and 6(3) of the Statute.

6. Amici rely herein on the testimony and evidence presented thus far in the Akayesu trial, as well as the documentation carried out by human rights investigators, indicating that further probative evidence is available to prove these charges. With respect to the record already made, amici are at a disadvantage because of their inability to obtain and examine the full transcript of the trial to date. Given reports that the Prosecution's case may be drawing to a close, amici have chosen to submit this brief, acknowledging our inability to examine the entire record, rather than wait and risk the possibility that amendment of the indictment and supplementation of the record, if that is required, would be barred.

### **I: The Trial Chamber Has Supervisory Authority to Correct the Failure of the Prosecutor to Charge and, if Necessary, Prove Rape and Other Sexual Violence.**

7. Article 1 of the Statute of the Tribunal states that the Rwanda Tribunal "shall have the power to prosecute persons responsible for serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for such violations committed in the territory of neighbouring States between 1 January 1994 and 31 December 1994. . . in accordance with the provisions of the present Statute."

8. In order to accomplish this purpose, the Statute confers upon the Prosecutor the duty to investigate charges, prepare indictments and prosecutions, and upon the Trial Chamber, the responsibility to hear the cases presented and consider appeals. In so doing, the Statute and the Rules of Procedure promulgated by the Trial Chamber pursuant to the Statute, give the Chamber both explicit and inherent authority to oversee as well as supplement the work of the Prosecutor in order to ensure that the mandate of the Tribunal be fully effectuated.

**Reference:** *Statute*, Article 10,17

*Rules of Procedure*, Rule 47(A).

9. For example, the Rules of Procedure contemplate the role of the Judge or the Trial Chamber to extend beyond simply hearing and deciding upon evidence adduced at trial. Rather, a Judge or the Trial Chamber, on its own motion, may issue such orders, summonses, subpoenas, warrants and transfer orders as may be necessary for the purposes of an investigation or for the preparation or conduct of the trial.

**Reference:** *Rules of Procedure*, Rule 54.

10. The Rules of Procedure also authorize the Judges of the Trial Chamber to order either party to produce additional evidence or it may, itself summon witnesses or order their attendance.

**Reference:** *Rules of Procedure*, Rule 98.

11. Respect for the principles of fairness and avoidance of a miscarriage of justice are at the root of the authority of the Tribunal and the Trial Chamber.

**Reference:** *Rules of Procedure*, Rule 5.

12. As will be set out in greater detail below, the failure to amend the indictment of the defendant Akayesu, where there has been clear evidence at trial and further evidence is indicated by the available documentation, produces unfairness and constitutes a miscarriage of justice within the general mandate of the Tribunal to prosecute persons responsible for serious violations of humanitarian law since:

(1) . . .The grave violations of human rights suffered by the women who were raped in the Taba Commune under the authority of Akayesu are ignored;

(2) . . .Jean Paul Akayesu is given effective impunity for the rapes which were committed in his Commune;

(3) . . .The community, and particularly the women of the community, are denied vindication and the satisfaction that there has been a fair trial of the issue and that justice has been done;

(4) . . .The failure by the Prosecutor to pursue investigating and convicting Akayesu on charges of rape in the face of testimony of rape at trial leaves the impression that the Tribunal does not consider rape and sexual violence to be as important an offence as other offences and is thereby discriminatory to women; and

(5) . . .Finally, since justice must be considered to have two aspects: a corrective and a normative aspect. The absence of charges of rape in the prosecution of Akayesu, therefore, not only fails to redress the harms done to women raped under Akayesu's ostensible control but also fails to normatively establish that rape is egregious and unacceptable conduct.

13. Except by way of objection from an amicus curiae or by proprio motu of a Judge or Trial Chamber, acts of the Prosecutor which are in violation of the Rules and which

constitute a miscarriage of justice, but which benefit the Accused, would go unremedied.

14. Having regard, therefore, to the mandate of the Tribunal to bring to justice those persons who have violated international humanitarian law and the inherent supervisory authority that flows from this mandate; to the authority of the Judges to make declarations with respect to non-compliance with the Rules; and to the injustice which will result if Akayesu is not prosecuted on charges of rape, it is submitted that the Statute and the Rules of Procedure permit the Trial Chamber presiding over the trial of Jean Paul Akayesu to remedy acts which would result in the miscarriage of justice and to call upon the Prosecutor to add charges of rape to the indictment. Any prejudice which such an amendment would cause to the accused can be remedied by re-calling witnesses "H" and "J" and any other pertinent witnesses, if the defendant should so request.

15. It is also submitted that a Judge or the Trial Chamber has the power to supplement the record on these charges, if necessary, either through calling upon the Prosecutor to undertake further investigation and/or submission of evidence or through calling witnesses proprio motu.

## **II: The Prosecution of Rape and other Forms of Sexual Violence is within the Subject-Matter Jurisdiction of the Tribunal**

16. The International Tribunal for Rwanda is broadly empowered to prosecute persons who have criminal responsibility for genocide, crimes against humanity, and violations of Article 3 common to the Geneva Conventions and of Additional Protocol II.

**Reference:** *Statute*, Articles 1, 2, 3, 4 and 6.

17. In the Statute, rape is explicitly cited as a crime against humanity and a serious violation of Article 3 common to the Geneva Conventions. It also constitutes torture and cruel treatment.

**Reference:** *Statute*, Articles 3(g)(f) and 4(a)(e).

18. Other forms of sexual violence fall within the purview of the Statute. For example, the mutilation of the genitalia and breasts of Tutsi women and forcing them to walk naked in the streets constitute torture and cruel treatment and are outrage to the personal dignity of the women.

**Reference:** *Statute*, Articles 3(f) and 4(a) and (e).

19. Rape and other forms of sexual violence, including killing pregnant women, also constitute genocide where the requirements of Article 2 are met. In the case of Rwanda, rape and sexual violence were an integral part of the genocidal campaign, inspired by hatred of Tutsi women, designed to result in death or to destroy a woman from a physical, mental or social perspective and her capacity to participate in the reproduction and production of the community.

**Reference:** *Statute*, Article 2(2)(a)-(d).

20. The Tribunal, therefore, is unquestionably mandated to prosecute persons who have raped or been responsible for the rape of, or other sexual violence against, Tutsi women and targeted Hutu women.

## **III. The Pervasive Occurrence of Rape in Rwanda and in the Taba Commune.**

21. Subject to the limitations discussed in regard to the trial transcripts and confidential information available to the Prosecutor and the Trial Chamber, the

following facts are identified based on excerpts of the testimony from Jean-Paul Akayesu's trial as well as the referenced documentation indicating the availability of further probative evidence.

22. Rape and other forms of sexual violence were an integral and pervasive part of the widespread genocidal violence committed against Tutsi women in Rwanda from January 1994 to December 1994.

**Reference:** *Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 935 (1994)*, U.N. SCOR, 49th Sess., Annex, at 3, U.N. Doc. S/1994/1405 (1994).

*Rwanda: Death, Despair and Defiance*, African Rights, September 1994.

*Report on Assignment to Rwanda (12 June to 24 July 1995)*, Maricela Daniel, Community Services Coordinator, UNHCR, Kigali.

*Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath*, Human Rights Watch/Africa Human Rights Watch Women's Rights Project/ Federation Internationale des ligues des Droits de l'Homme, September, 1996.

*Rwanda: Killing the Evidence: Murder, Attacks, Arrests and Intimidation of Survivors and Witnesses*, African Rights, April 1996.

*The Genocide in Rwanda: Sexual Abuses and Violence against Rwandan Women*, Kalliope Migirou, European Union Field Officer/ UN Human Rights Field Operation in Rwanda, presented at an International Conference on Violence, Abuse and Women's Citizenship, Brighton, UK, November 1996.

23. Specifically, the Prosecutor submitted some evidence and it has been otherwise documented that the Taba commune, in the prefecture of Gitarama, was one site of pervasive sexual violence committed against Tutsi women during the period between January 1994 and December 1994.

**Reference:** Testimony of Witness "H", Official English Version of the Transcript in *The Matter of the Trial of Jean-Paul Akayesu*, for hearing dates March 6, 1997 and March 7, 1997.

*Testimony of Witness "J"*, Official English Version of Transcript unavailable to amici. Reuters N. American Wire, 1/27/97.

*Shattered Lives: Sexual Violence during the Rwandan Genocide and its Aftermath*, Human Rights Watch et al.

24. Indeed, the Prosecutor stated in his opening that the rape of young girls and women formed a part of the genocidal and widespread violence by the Hutu population against the Tutsi population in Rwanda.

"Our evidence will show that in 1994 in Rwanda, there was systematic and widespread murder, imprisonment, torture, persecution and sexual assault and mutilations and infliction of other inhumane acts against the Tutsi population and moderate Hutus on political and ethnic grounds".

**Reference:** Unofficial English Translation of *The International Criminal Tribunal For Rwanda* in the Matter of the Trial of Jean-Paul Akayesu, held on January 9, 1997, p. 39, lines 8-15.

#### **IV. Evidence of Rape in the Taba Commune Presented in the Akayesu Trial.**

25. Witness "J" testified that she had witnessed the rape of her six-year-old daughter by three Hutu men when they came to kill her father.

**Reference:** Reuters North American Wire, January 27, 1997.

26. Witness "H" testified to both having been raped and having witnessed the rape of other women. Witness "H" was hiding in a banana plantation near her house when a group of attackers blew whistles and chased her and her family from their hiding places. After being discovered, Witness "H" was taken into a sorghum field and raped.

**Reference:** Official English Transcript of the Testimony of Witness "H" heard on March 6, 1997, p. 8

Official English Transcript of the Testimony of Witness "H" heard on March 7, 1997, p.16, 21

27. Witness "H" also testified that women who had taken refuge in the Bureau Communal, under the control of Akayesu, were held prisoner there and beaten and raped. In particular, Witness "H" testified that she "personally knew three women being raped and that she could remember the names of approximately ten of the men who committed the rapes. Some would be taken to the bush area nearby, or they would do it there on site. There were not afraid of anything."

**Reference:** Official English Transcript of the Testimony of Witness "H" heard on March 7, 1997, pp. 16-24.

28. Based on the aforesaid testimony, there is evidence in the trial record, and available through human rights reports, that in the Taba Commune, rape and other sexual violence occurred on a routine and notorious basis in violation of humanitarian law and as part of a genocidal campaign to destroy the Tutsi population. Because of the unavailability of the entire record, amici are unable to evaluate whether there is already sufficient probative evidence in the record that rape was widespread so as to constitute a crime against humanity in the Taba Commune; however, the documentation of rape referenced above, indicates the availability of additional testimony and evidence as to both the significance of rape in the massive and genocidal violence committed in Rwanda and in the Taba Commune itself.

#### **V. Jean-Paul Akayesu's Criminal Responsibility for the Rape of Tutsi Women in Taba**

29. Under Article 6 of the Tribunal Statute, Akayesu can be held criminally liable for the sexual violence against Tutsi and some Hutu women, if it is proven that he

(1) . . .planned, instigated, ordered, committed or otherwise aided and abetted in the planning, preparation or execution of [the crimes of sexual violence encompassed] . . .in articles 2 to 4 of the present Statute...;

(2) . . .[as a superior, he] knew or had reason to know that the subordinate was about to commit such acts or had done so and [as] the superior [, he] failed to

take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

30. While amici unfortunately do not have the full record of the trial evidence available, based on the Indictment, the Prosecutor's opening statement, and the record available, it appears that evidence has been submitted to establish the following facts probative of Akayesu's criminal responsibility under Article 6:

a. The Taba commune, during the period between April 1993 and June 1994, was under the authority of Mayor (Bourgmestre) Jean-Paul Akayesu.

**Reference:** Description of the Accused, Indictment of the Prosecutor of the Tribunal against Jean Paul Akayesu, para. 3.

b. As Bourgmestre, Akayesu was one of the most powerful men in the commune of his region. He was charged with the performance of the executive functions and the maintenance of public order within the Taba commune. Akayesu had exclusive control over the communal police as well as any gendarmes at the disposition of the Taba commune. Akayesu was responsible for the execution of laws and regulations, and the administration of justice within the Taba commune and possessed powers beyond those prescribed by law.

**Reference:** Description of the Accused, Indictment of the Prosecutor of the Tribunal against Jean Paul Akayesu, para. 4.

Opening Address of the Prosecution on January 9, 1997, Unofficial English Translation, pp. 12, 29-30

c. Having regard to Akayesu's position of authority, Akayesu ordered Hutus in the Taba Commune to kill Tutsis and encouraged the Interhamwe from surrounding communes to come and incite violence.

**Reference:** Opening Address of the Prosecution, Unofficial English Translation, January 9, 1997, pp. 51, 52-53, 55, 56, 58.

Unofficial Translation of the Testimony of Witness "K", given on January 10, 1997, pp. 23-24 and 37, and on January 14, 1997, pp. 11-12.

Unofficial Translation of the Testimony of Witness "C" given on January 14, 1997, pp. 149-151.

d. Akayesu ordered the purchase and distribution of whistles and gave instructions for the use of the whistles in the hunt for hiding Tutsis [which whistles were referred to in the testimony of "H" referred to above.

**Reference:** Unofficial English Translation of the Testimony of Witness "K"

heard on January 14, 1997, p.69, lines 7-10.

e. In addition, it is submitted that Akayesu's incitement of Hutus to murder Tutsi women, including pregnant women, foreseeably resulted in the rape of Tutsi women before their murder as well as apart from murder.

**Reference:** Opening Address of the Prosecution, January 9, 1997, Unofficial English Translation, p.55, lines 4-7.

f. As previously indicated, rape and other forms of sexual violence in the Taba Commune were openly committed, widespread, a matter of common knowledge; in addition, some of this violence against women occurred within the Bureau Communal under Akayesu's direct control.

**Reference:** para. 23 above.

g. Jean-Paul Akayesu was in charge of the Bureau Communal, was present at the Bureau Communal when at least some of these rapes occurred and, according to Witness "H", could have protected the women victims had he wanted to.

**Reference:** Official English Transcript of the Testimony of Witness "H" heard on March 6, 1997, pp. 13-14.

Official English Transcript of the Testimony of Witness "H" heard on March 7, 1997, pp. 17-19 and 23.

h. Akayesu had the power, and prior to April 18, 1994 exercised his power, to prevent the massacre, and presumably the rape, of the Tutsis under his control and authority without any risk to himself. After April 18, 1994, Akayesu chose not to exercise his power in this manner and in fact encouraged Interhamwe from surrounding communes to come and incite violence.

**Reference:** Opening Address of the Prosecution, Unofficial English Translation, pp. 51, 52-53, 55.

Unofficial Translation of the Testimony of Witness "K" given on January 10, 1997, pp. 17, 23-24 and 37, and on January 14, 1997, pp.-12.

Unofficial Translation of the Testimony of Witness "C" given on January 14, 1997, pp. 149-151.

i. In the words of Witness "H" when asked by Judge Aspegren as to whether Akayesu as Bourgmestre could have stopped the rapes:

***"Yes, he could stop what was happening...I think that he could have stopped these events. He didn't even try."***

**Reference:** Official English Transcript of the Testimony of Witness "H" heard on March 7, 1997, pp. 23-24.

31. In sum, amici cannot purport to judge whether the evidence in the record is sufficient to establish the guilt of Jean-Paul Akayesu for rape and other sexual violence in the Taba Commune under all the pertinent articles. It is, however, submitted that based on the testimony adduced and the evidence suggested by the available documentary evidence, there is unquestionably sufficient evidence before the Prosecutor and the Trial Chamber to prosecute Jean-Paul Akayesu on charges of rape and to warrant further presentation of evidence regarding rape and sexual violence as a war crime, crime against humanity and as an instrument of genocide.

## **VI. Failure of the Prosecutor to Fulfill its Duty to Prosecute Jean Paul Akayesu on Charges of Rape**

32. The Prosecutor is responsible for the investigation and prosecution of persons responsible for serious violations of international humanitarian law committed in Rwanda between 1 January 1994 and 31 December 1994.

**Reference:** Statute, Article 15

33. -Having regard to the documentary evidence cited above and, most importantly, the evidence of witnesses "H" and "J", one of whom was raped by Hutu militia and both of whom witnessed rapes committed by Hutu militia in the Taba commune in which Akayesu was responsible for maintaining order, the Prosecutor has evidence that a prima facie case exists to prosecute Akayesu on some charges of rape.

34. - On the basis of the evidence of witnesses "H" and "J", on the documented cases of rape in the Taba commune and the available evidence concerning Akayesu's criminal responsibility for these acts of sexual violence, it is submitted that the Prosecutor should, as provided for by the Statute, seek leave of the Trial Chamber to add charges of rape to Akayesu's indictment.

**Reference:** Statute of the Tribunal, Article 17  
Rules of Procedure, Rule 47 and Rule 50.

## **VII. The Failure to Investigate and Prosecute Rape and Sexual Violence Against Women Generally**

35. Unfortunately, the absence of a charge of rape in the Akayesu indictment is not unique. Despite the widespread accounts of rape throughout Rwanda during the period of January 1, 1994 and December 31, 1994 referenced above, not a single indictment presented to and confirmed by the Trial Chamber thus far has charged an accused with responsibility for rape or other forms of sexual violence.

36. The report by Human Rights Watch/Women's Rights Project documents and analyses the problems in the methodology and staffing of the Prosecutor's office in Kigali which contribute to the failure to charge sexual violence. The Report also identifies a range of steps that need to be taken to reverse this course.

**Reference:** *Shattered Lives*, para. 23 above, p. 8.

37. It is within the inherent supervisory authority of the Trial Chamber, to inquire in the context of the indictments presented to it whether the Prosecutor has established the means and the personnel to effectively investigate and prosecute sexual violence charges.

### **VIII. The Effect of the Failure to Prosecute Jean-Paul Akayesu for Rape**

38. The Vienna Declaration and Programme of Action recognized that gender violence is a grave and pervasive violation of human rights and that gender issues must be fully integrated into all aspects of the functioning of the human rights system. Punishment of and accountability for violence against women have become, in recent years, a priority within the UN human rights system.

**Reference:** *Vienna Declaration and Programme of Action, General Assembly, World Conference on Human Rights*,  
UN. Doc. A/Conf. 157/23 (12 July 1993) paras. 18, 38.

*Declaration on the Elimination of Violence Against Women*,  
General Assembly, 48th Sess, U.N. Doc. A/Res/48/104 (23 February 1994)

*Recommendation No. 19 of the Committee to End Discrimination Against Women: Violence Against Women*, in *Compilation of General Comments and Recommendations Adopted by Human Rights Treaty Bodies*,  
U.N. Doc. HRI/GEN/1/Rev.2 (29 March 1996).

39. The failure of the Tribunal to prosecute Jean-Paul Akayesu on charges of rape in the face of clear evidence that rapes occurred in the Commune under his control raises questions about the commitment of the Tribunal to the elimination of gender-based violence as well as the protection and advancement of the human rights of women.

40. In addition, the failure to include charges of rape in the first case before the Tribunal in Arusha, despite there being evidence of rape and criminal responsibility in relation to the accused, sets an unwelcome precedent for the prosecutions to come and discourages women witnesses from participating in the further investigations and prosecutions of the Tribunal. It also sends a message to the Rwandan women who have survived and confront, on a daily basis, the devastating effects of the genocide, including the sexual violence, on their physical, mental, social and economic well-being, that these atrocities are not sufficiently grave to warrant the attention of the Tribunal. In so doing, the Tribunal denies to these women equal justice and deprives them of the recognition and vindication of their suffering that is an essential component of their ability to rebuild their lives and their self-esteem.

41. Finally, the failure of the Prosecutor of International Criminal Tribunal for Rwanda to prosecute rape and other sexual violence in the case of Akayesu, and in every other indictment which has been confirmed thus far, is an unfortunate departure from the precedent set by the Prosecutor and International Criminal Tribunal for the Former Yugoslavia which, after initial criticism from a number of the undersigned amici curiae, have taken leadership in ensuring the prosecution of rape and other forms of sexual violence.

**Reference:** see for example, The Prosecutor of the Tribunal v. Gagovic et al; The Prosecutor of the Tribunal v. Meakic et al; and The Prosecutor of the Tribunal v. Tadic.

## **IX. Conclusion**

42. In light of the above submissions of fact and law, it is respectfully submitted that the Tribunal should fulfill its mandate to prosecute those responsible for genocide and humanitarian law violations and to treat the abuses committed against men and women with an equal seriousness, by calling upon the Prosecutor to amend the indictment of Jean Paul Akayesu to charge him as follows:

(1) for the rape of Tutsi women in Taba under Article 3(f),(g) and (h) of the Statute;

(2) for the rape of Tutsi women in Taba under Article 4(a),(e) and (h) of the Statute;

(3) for the mutilation of the genitalia and breasts of Tutsi women under Article 3(f) and Article 4(a) and 4(e) of the Statute; and

(4) for parading Tutsi women naked in the streets under Article 4(a), (e),(h) and(i) of the Statute.

43. In addition, the Prosecutor should consider charging Akayesu with rape as an act of genocide pursuant to Article 2(2)(b), (c) and (d) of the Statute. The final report of the Commission of Experts recommended that: "...the Prosecutor explore fully the relation between the policy of systematic rape under a responsible command as a crime against humanity on the one hand, and such a policy as a crime of genocide on the other."

**Reference:** Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 935 (1994), U.N. SCOR, 49th Sess., Annex, at 3, U.N. Doc. S/1994/1405 (1994) at p.29, para. 145.

*Shattered Lives*, para. 23 above.

**Respectfully submitted,**

- AL-HAQ
- ARAB WOMEN'S FORUM AISHA
- ASIA WOMEN'S HUMAN RIGHTS COUNCIL
- ASSOCIATION ALGÉRIENNE POUR LA PLANIFICATION FAMILIALE
- ASSOCIATION DÉMOCRATIQUE DES FEMMES MAROCAINES
- ASSOCIATION DES FEMMES JURISTES DU NIGER
- ASSOCIATION INTERNATIONALE POUR LA DÉMOCRATIE EN AFRIQUE
- ASSOCIATION IVOIRIENNE POUR LA DÉFENSE DES DROITS DES FEMMES
- ASSOCIATION MAROCAINE DES DROITS DES FEMMES
- ASSOCIATION TUNISIENNE DES FEMMES DÉMOCRATES
- CENTER FOR CONSTITUTIONAL RIGHTS

- CENTER FOR WOMEN'S GLOBAL LEADERSHIP
- CITOYENS/CITOYENNES POUR UN RWANDA DÉMOCRATIQUE
- COLLECTIF SÉNÉGALAIS DES AFRICAINES POUR LA PROMOTION DE L'ÉDUCATION RELATIVE À L'ENVIRONNEMENT
- CONSEIL SUR LES DROITS DES FEMMES
- ENDA
- FEDERATION INTERNATIONALE DES LIGUES DES DROITS DE L'HOMME
- GROUPE DE RECHERCHE FEMMES ET LOIS
- INSTITUT AFRICAIN POUR LA DÉMOCRATIE
- INTERNATIONAL CENTRE FOR HUMAN RIGHTS AND DEMOCRATIC DEVELOPMENT
- INTERNATIONAL HUMAN RIGHTS LAW GROUP/ WOMEN'S RIGHTS ADVOCACY PROGRAM
- INTERNATIONAL HUMAN RIGHTS PROJECT OF SUFFOLK UNIVERSITY LAW SCHOOL
- INTERNATIONAL WOMEN'S HUMAN RIGHTS LAW CLINIC OF THE CITY UNIVERSITY OF NEW YORK SCHOOL OF LAW
- JACOB BLAUSTEIN INSTITUTE FOR THE ADVANCEMENT OF HUMAN RIGHTS
- LATIN AMERICAN AND CARIBBEAN WOMEN'S HEALTH NETWORK
- LAWYERS' INTERNATIONAL FORUM FOR WOMEN'S HUMAN RIGHTS
- LIGUE IVOIRIENNE DES DROITS DE L'HOMME
- MADRE
- MOUVEMENT BURKINABE DES DROITS DE L'HOMME ET DES PEUPLES
- NATIONAL COUNCIL OF AFRICAN WOMEN
- PERMANENT ARAB WOMEN'S COURT TO RESIST VIOLENCE AGAINST WOMEN
- PRO-FEMMES/TWESE HAMWE (35 MEMBER-NGOS: list in annex)
- RASSEMBLEMENT ALGERIEN DES FEMMES DEMOCRATIQUES
- RASSEMBLEMENT DÉMOCRATIQUE DES FEMMES DU NIGER
- RURAL YOUTH ASSOCIATION
- TANZANIA GENDER NETWORKING PROGRAMME
- UNION INTERAFRICAINNE DES DROITS DE L'HOMME
- UNITED METHODIST OFFICE FOR THE UNITED NATIONS
- VIMOCHANA- FORUM FOR WOMEN'S RIGHTS
- WOMEN IN LAW AND DEVELOPMENT IN AFRICA
- WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM
- WOMEN LIVING UNDER MUSLIM LAWS
- WOMEN REFUGEES PROJECT, CAMBRIDGE-SOMERVILLE LEGAL SERVICES
- WORKING GROUP ON ENGENDERING THE RWANDA TRIBUNAL
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**Annex:** NGO-members of Pro-Femmes/Twese Hamwe  
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ARDS, ASOFERWA, AVEGA-AGAHOZO, BENIMPUHWE, BENISHYAKA, CARITAS-  
UMUHOZA, CCOAIB, CLUB MAMANS SPORTIVES, DUKANGUKE, DUTERIMBERE,  
FONDATION TUMURERE, GIRANEZA, GIRIBAMBE, HAGURUKA, ICYUZUZU,  
ISANGANO-OPEC, JOC-F, RESEAU DES FEMMES OEUVRANT POUR LE  
DEVELOPPEMENT RURAL, RWANDA RW'EJO, RWHO, SERUKA, SOLIDAIRES  
BENURUGWIRO, SOS RAMIRA, SWA-IHUMURE, UMUSHUMBA MWIZA, URUMULI  
RW'URUKUNDO, URUSARO.