



Statement on the passing of Félicien Kabuga



Mr. Félicien Kabuga passed away today while hospitalized in The Hague, The Netherlands. The Medical Officer of the United Nations Detention Unit (UNDU) was immediately notified, and the Dutch authorities have commenced the standard procedures and investigations required under Dutch national law.

Exercising her authority under the Statute of the International Residual Mechanism for Criminal Tribunals (Mechanism) and the Rules of Detention, the President of the Mechanism, Judge Graciela Gatti Santana, has ordered a full inquiry into the circumstances surrounding Mr. Kabuga's death, assigning Judge Alphons Orié to conduct the inquiry.

Mr. Kabuga, a Rwandan businessman, was charged with genocide, conspiracy to commit genocide, incitement to genocide, and crimes against humanity, including persecution, extermination, and murder, committed during the 1994 genocide against the Tutsi in Rwanda.

An arrest warrant for Mr. Kabuga was issued by the International Criminal Tribunal for Rwanda (ICTR) on 29 April 2013. He was arrested on 16 May 2020 in France and transferred to the Hague branch of the Mechanism on 26 October 2020. His trial commenced on 29 September 2022.

On 8 September 2023, following the Appeals Chamber decision of 7 August 2023, the Trial Chamber issued a decision indefinitely staying the proceedings as Mr. Kabuga was considered unfit to stand trial, and ordering that he remains in detention at the UNDU, pending the resolution of the issue of his provisional release.

At the time of his death, Mr. Kabuga was awaiting provisional release to a State willing to accept him on its territory.

Background

On 22 December 2010, the United Nations Security Council adopted resolution 1966 (2010), establishing the Mechanism to continue the jurisdiction, rights and obligations, and to carry out the essential functions of the International Criminal Tribunal for Rwanda (ICTR) and the International Tribunal for the former Yugoslavia (ICTY).

The Mechanism commenced operations on 1 July 2012 in Arusha, United Republic of Tanzania, and on 1 July 2013 in The Hague, The Netherlands. During its initial years, the Mechanism operated alongside the ICTR and ICTY. Following the closure of the ICTR on 31 December 2015 and the ICTY on 31 December 2017, the Mechanism has continued its work as a stand-alone institution.

For more information on the case, please visit:

<https://www.irmct.org/en/cases/mict-13-38> (<https://www.irmct.org/en/cases/mict-13-38>)

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The International Residual Mechanism for Criminal Tribunals (Mechanism) was established by UN Security Council Resolution 1966 (2010) to complete the remaining work of the International Criminal Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia after the completion of their respective mandates. The Mechanism has two branches, one in Arusha, Tanzania, and one in The Hague, Netherlands.



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