



The Mechanism for International Criminal Tribunals (“MICT” or “Mechanism”) was established on 22 December 2010 by the United Nations Security Council to continue the jurisdiction, rights, obligations and essential functions of the International Criminal Tribunal for Rwanda (“ICTR”) and the International Criminal Tribunal for the former Yugoslavia (“ICTY”) after the completion of their respective mandates.

## CASE INFORMATION SHEET

At present, eight accused indicted by the ICTR for their participation in the genocide in Rwanda in 1994 remain at large. The Mechanism has jurisdiction over the following three accused: Augustin Bizimana, Félicien Kabuga and Protais Mpiranya. The remaining five cases have been referred to Rwandan authorities: Fulgence Kayishema, Charles Sikubwabo, Aloys Ndimbati, Ryandikayo and Phénéas Munyarugarama. Another fugitive whose case was referred to Rwanda, Ladislav Ntaganzwa, was arrested in Congo on 9 December 2015.

### MICT-13-38

## FUGITIVE - FÉLICIEN KABUGA



Félicien Kabuga was the President of the *Comité Provisoire* of the *Fonds de défense nationale* (“National Defence Fund”) from about 25 April 1994 to July 1994 and President of the *Comité d’Initiative of Radio Television Libre des Milles Collines* (“RTL”) during the time of the crimes pleaded in the indictment

<b>Year and place of birth</b>	1935, Munig secteur, Mukarange commune, Byumba préfecture, Rwanda
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<b>Indictment</b>	Operational indictment filed on 14 April 2011
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<b>Status of the Case</b>	At large since 26 November 1997
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## CASE BACKGROUND INFORMATION

### INDICTMENT

Félicien Kabuga was charged before the ICTR with genocide, complicity in genocide, direct and public incitement to commit genocide, attempt to commit genocide, conspiracy to commit genocide and crimes against humanity, committed in Rwanda between 6 April and 17 July 1994.

According to the indictment, Kabuga, together with a number of other persons, is alleged to have operated the RTL in a manner to further ethnic hatred between the Hutu and persons identified as Tutsi and to disseminate an anti-Tutsi message with the goal to commit the aforementioned crimes. Kabuga is further alleged to have instructed, assisted and prompted members of the *interahamwe* who participated in the killing and harming of persons identified as Tutsi in Kigali Ville, Kimironko sector, Kigali, Kibuye and Gisenyi préfecture.

Kabuga is further alleged to have established, together with certain other persons, the National Defense Fund in order to raise funds to provide financial and logistical support for the *interahamwe*'s killing and harming of Tutsis. It is also alleged that Kabuga, together with certain other persons, agreed to plan, create and fund a militant group known as Kabuga's *interahamwe* in Kimironko sector, Kigali, the purpose of which was to further ethnic hatred between the Hutus and Tutsis in Kimironko sector with the goal of committing genocide against persons identified as Tutsis. Kabuga is further alleged to have instigated crimes, incited genocide or made persecutory statements at various meetings at different locations in Rwanda between February or March 1994 and May 1994.



The indictment further alleges that the radio station RTL, founded by Kabuga, directly and publicly incited the commission of genocide through broadcasts that expressly identified persons as Tutsis, provided their locations, described them as the enemy, and called for their elimination.

The indictment states that during this period, there were widespread and/or systematic attacks against a civilian population based on Tutsi ethnic identification throughout Rwanda. During the attacks, some Rwandan citizens killed or caused serious bodily harm to persons perceived to be Tutsi.

The charges in the indictment are the following:

**One count of Genocide** (Count 1)

**One count of Complicity in Genocide** (Count 2)

**One count of Direct and Public Incitement to Commit Genocide** (Count 3)

**One count of Attempt to Commit Genocide** (Count 4)

**One count of Conspiracy to Commit Genocide** (Count 5)

**Two counts of Crimes against Humanity**

- Persecution (Count 6)
- Extermination (Count 7)

## HANDOVER OF CASE TO THE MICT

On 1 August 2012, Félicien Kabuga's file was handed over to the MICT Prosecutor.

On 29 April 2013, a Single Judge, Judge Vagn Joensen, issued a warrant of arrest and an order for transfer requesting all Member States of the UN to search for, arrest and transfer Kabuga to the custody of the Arusha Branch of the MICT, where Kabuga will be detained at the UN Detention Facility.

According to UN Security Council resolution 1966 (2010), all States have an obligation to cooperate with the MICT in the location, arrest, detention, surrender and transfer of accused persons still at large.