



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-12-23

FUGITIVE - FULGENCE KAYISHEMA



Fulgence Kayishema was the inspector of police at Kivumu commune in Kibuye préfecture, Rwanda, during the time of the crimes pleaded in the indictment

Year and place of birth	1961, Kivumu commune, Kibuye préfecture, Rwanda
Indictment	Operational indictment filed on 5 July 2001
Status of the Case	At large since 5 July 2001

CASE BACKGROUND INFORMATION

INDICTMENT

Fulgence Kayishema was charged before the ICTR with genocide, complicity in genocide, conspiracy to commit genocide and extermination as a crime against humanity, committed in Kivumu commune, Kibuye préfecture, in Rwanda between 6 and 20 April 1994, when he was police inspector in that area.

According to the indictment, Kayishema is responsible for, or alternatively, was an accomplice to the killing or causing serious bodily or mental harm to members of the Tutsi population on or between the dates of 6 April 1994 and 20 April 1994 in Kivumu commune, Kibuye préfecture, with intent to destroy, in whole or in part, a racial or ethnic group. The indictment further alleges that Kayishema, together with certain other persons, conspired to commit genocide on or between 6 April 1994 and 20 April 1994, in Kivumu commune, Kibuye préfecture, by killing or causing serious bodily or mental harm to members of the Tutsi population with the intent to destroy, in whole or in part, a racial or ethnic group.

The indictment also alleges that on or about 15 April 1994, Kayishema ordered or planned, abetted and encouraged the destruction of the Church of Nyange, in Kivumu commune, with more than 2000 Tutsis trapped inside, causing their deaths. The indictment states that after the destruction of the Church, most of the Tutsis from Kivumu commune were killed, and in July 1994, there were no Tutsis known in the commune.



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 Conspiracy to Commit Genocide (Count 3)

One count of Crimes against Humanity

- Extermination (Count 4)

REFERRAL OF CASE TO RWANDA

On 22 February 2012, the ICTR Referral Chamber ordered that the case of Fulgence Kayishema be referred to the authorities of the Republic of Rwanda.

On 7 May 2014, 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 Kayishema to the custody of the National Public Prosecution authority of the Republic of Rwanda.

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.