



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-12-13

## FUGITIVE - CHARLES SIKUBWABO



Charles Sikubwabo was the *Bourgmestre* of Gishyita commune in Kibuye préfecture, Rwanda, during the time of the crimes pleaded in the indictment

**Year and place of birth** Early - mid 1940s, Gishyita commune, Kibuye préfecture, Rwanda

**Indictment** Operational indictment filed on 20 October 2000

**Status of the Case** At large since 28 November 1995

## CASE BACKGROUND INFORMATION

### INDICTMENT

Charles Sikubwabo was charged before the ICTR with genocide, complicity in genocide, conspiracy to commit genocide and crimes against humanity, committed in Gishyita commune, Kibuye préfecture, in Rwanda during the month of April 1994, when he was the *Bourgmestre* of the commune.

According to the indictment, during the month of April 1994, a large number of men, women and children from various places sought shelter from the attacks and murders of civilians, which were taking place throughout Kibuye préfecture. The indictment states that many assembled inside Mugonero Complex, which consisted of several buildings, including a church, an infirmary and a hospital and that the majority of these men, women and children were Tutsi and were unarmed. The indictment further states that on or about the morning of 16 April 1994, a convoy consisting of several vehicles followed by a large number of individuals armed with weapons went to the Mugonero Complex. The indictment further alleges that individuals in the convoy included, among others, Sikubwabo, members of the National Gendarmerie, communal police, militia and civilians. It is also alleged that the individuals in the convoy, including Sikubwabo, participated in an attack on the men, women and children in the Mugonero Complex, which continued throughout the day. According to the indictment, the attack resulted in hundreds of deaths and a large number of wounded among the men, women and children who had sought refuge at the Complex.



The indictment further alleges that during the months following the attack on the Mugonero Complex, Sikubwabo, among others, searched for and attacked Tutsi survivors and others, killing and causing serious bodily or mental harm to them.

The charges in the indictment are the following:

**One count of Genocide** (Count 1A), or, alternatively,

**One count of Complicity in Genocide** (Count 1B)

**One count of Conspiracy to Commit Genocide** (Count 2)

**Three counts of Crimes against Humanity**

- Murder (Count 3)
- Extermination (Count 4)
- Other inhumane acts (Count 5)

## REFERRAL OF CASE TO RWANDA

On 26 March 2012, the ICTR Referral Chamber ordered that the case of Charles Sikubwabo be transferred 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 Sikubwabo 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.