



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-13-39

FUGITIVE - AUGUSTIN BIZIMANA



From July 1993 until 17 July 1994, Augustin Bizimana was the Minister of Defence in the Interim Government of Rwanda

Year and place of birth 1954, Gituza commune, Byumba préfecture, Rwanda

Indictment Operational indictment filed on 17 October 2011

Status of the Case At large since 29 August 1998

CASE BACKGROUND INFORMATION

INDICTMENT

Augustin Bizimana was charged before the ICTR with genocide, complicity in genocide, crimes against humanity and serious violations of Common Article 3 of the Geneva Conventions and Additional Protocol II to the Geneva Conventions, committed in Rwanda between 6 April and 17 July 1994. During this period, Bizimana was the Minister of Defence of Rwanda.

According to the indictment, Bizimana is responsible for the killing and harming of persons identified as Tutsi in Kigali Ville and Kigali Rural préfectures as well as in Gitarama, Gisenyi, Ruhengeri, Butare, Kibuye and Cyangugu préfectures.

The indictment also alleges that, as Minister of Defence, Bizimana had a position of authority that would compel members of the Rwandan Armed Forces, the *interahamwe*, the *impumuzamugambi* and other Hutu militia and civilians used to carry out or participate in the crimes to follow his orders. Bizimana is alleged to have ordered these persons to carry out conduct in the course of which they perpetrated and participated in the commission of the crimes.

The indictment states that during this period, throughout Rwanda there were widespread and/or systematic attacks against a civilian population based on Tutsi ethnic identification and political grounds. During the attacks, some



Rwandan citizens killed or caused harm to persons perceived to be Tutsi, political opponents, affiliated persons and persons protecting them.

The charges in the indictment are the following:

One count of Genocide (Count 1)

One count of Complicity in Genocide (Count 2)

Six counts of Crimes against Humanity

- Extermination (Count 3)
- Murder (Count 4)
- Rape (Count 5)
- Torture (Count 6)
- Other inhumane acts (Count 7)
- Persecution (Count 8)

Five counts of Violations of Common Article 3 and Additional Protocol II

- Murder (Count 9)
- Torture (Count 10)
- Rape (Count 11)
- Cruel treatment (Count 12)
- Outrages upon personal dignity (Count 13)

HANDOVER OF CASE TO THE MICT

On 1 August 2012, Augustin Bizimana'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 Bizimana to the custody of the Arusha Branch of the MICT, where Bizimana 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.