



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-12-14

## FUGITIVE - ALOYS NDIMBATI



Aloys Ndimbati was the *Bourgmestre* of Gisovu commune in the Kibuye préfecture, Rwanda, during the time of the crimes pleaded in the indictment

<b>Year and place of birth</b>	Early 1950s, Gisovu commune, Kibuye préfecture, Rwanda
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<b>Indictment</b>	Operational indictment filed on 8 May 2012
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<b>Status of the Case</b>	At large since 28 November 1995
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## CASE BACKGROUND INFORMATION

### INDICTMENT

Aloys Ndimbati was charged before ICTR with genocide, complicity in genocide, direct and public incitement to commit genocide and crimes against humanity, committed in Gisovu commune, Kibuye préfecture, in Rwanda during the period April-July 1994, when he was the *Bourgmestre* of the commune.

According to the indictment, on or about 10 or 11 April 1994 at around 10:00, Ndimbati, using a megaphone, publicly called for the elimination of Tutsis. He allegedly did so from the Gisovu communal vehicle which he drove around the Gisovu commune while escorted by five of his policemen and followed by a crowd of people, mainly *interahamwe*, to whom, among others, his address was directed. Ndimbati’s address allegedly prompted, encouraged, provided moral support to, and thus contributed to the subsequent crimes in the commune specified in the indictment.

The indictment also alleges that on or about 14 April 1994, at the guesthouse of the Gisovu tea factory, Ndimbati, together with Alfred Musema, instructed and prompted *interahamwe* to rape and kill a Tutsi woman by the name of Annociata Mujawayezu and her son. Following the instructions, the *interahamwe* raped Annociata and then killed her and her son.



The indictment further alleges that after the death of the President of Rwanda, Ndimbati, acting together with others, started killing Tutsis in Gisovu commune. Tutsis who lived in the neighborhood of Bisesero fled their homes and sought refuge in the Bisesero hills hoping to defend themselves from the attacks. It is alleged that Ndimbati reacted by relentlessly attacking these refugees over a period of several months, killing thousands.

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)

**Four counts of Crimes against Humanity**

- Extermination (Count 4)
- Murder (Count 5)
- Rape (Count 6)
- Persecution (Count 7)

## REFERRAL OF CASE TO RWANDA

On 25 June 2012, the ICTR Referral Chamber ordered that the case of Aloys Ndimbati 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 Ndimbati 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.