

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-13-38-AR80.4

Date: 28 April 2026

Original: English

IN THE APPEALS CHAMBER

Before: Judge Carmel Agius, Presiding
Judge Burton Hall
Judge Liu Daqun
Judge Aminatta Lois Runeni N'gum
Judge José Ricardo de Prada Solaesa

Registrar: Mr. Abubacarr M. Tambaou

Decision of: 28 April 2026

PROSECUTOR

v.

FÉLICIEN KABUGA

PUBLIC

**DECISION ON PROSECUTION APPEAL OR MOTION FOR
RECONSIDERATION CONCERNING FÉLICIEN KABUGA'S
RELEASE**

Office of the Prosecutor:

Mr. Serge Brammertz
Mr. Rupert Elderkin
Ms. Laurel Baig

Counsel for Mr. Félicien Kabuga:

Mr. Emmanuel Altit

1. The Appeals Chamber of the International Residual Mechanism for Criminal Tribunals (“Appeals Chamber” and “Mechanism”, respectively)¹ is seised of the “Prosecution Appeal or Motion for Reconsideration Concerning Kabuga’s Release”, filed publicly with a confidential annex by the Office of the Prosecutor of the Mechanism (“Prosecution”) on 28 November 2025 (“Prosecution Submission”) in relation to a decision issued by the Trial Chamber of the Mechanism (“Trial Chamber”) on 14 November 2025.² The Defence of Mr. Félicien Kabuga (“Defence” and “Kabuga”, respectively) filed a response on 2 January 2026³ and the Prosecution filed a reply on 9 January 2026.⁴

I. PROCEDURAL BACKGROUND

2. Kabuga was indicted before the International Criminal Tribunal for Rwanda (“ICTR”) in November 1997,⁵ but remained a fugitive until his arrest in France on 16 May 2020.⁶ On 26 October 2020, Kabuga was transferred to the Hague branch of the Mechanism⁷ and the trial proceedings against him commenced on 29 September 2022.⁸ Since Kabuga’s transfer to the Mechanism, the Trial Chamber has been receiving regular medical reports on his health from the Medical Officer at the United Nations Detention Unit (“UNDU”) at the Hague branch of the Mechanism,⁹ as well as from a panel of independent medical experts (“Independent Experts”)

¹ See Order Assigning Judges to a Bench of the Appeals Chamber, 8 December 2025, p. 1. See also Decision on Félicien Kabuga’s Requests for Translation and Extension of Time, 30 December 2025 (“Decision of 30 December 2025”), n. 1.

² *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Decision of Félicien Kabuga’s Fitness to Travel to Rwanda, 14 November 2025 (“Impugned Decision”).

³ Defence Response to the “Prosecution Appeal or Motion for Reconsideration Concerning Kabuga’s Release”, 2 January 2026 (original filed in French; English translation filed on 19 January 2026) (confidential) (“Response”). See also Decision of 30 December 2025, p. 4.

⁴ Prosecution Reply on Motion for Reconsideration Concerning Kabuga’s Release, 9 January 2026 (public with confidential annex) (“Reply”).

⁵ See *The Prosecutor v. Félicien Kabuga*, Case No. ICTR-97-22-I, Decision Confirming the Indictment, 26 November 1997. See also *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-PT, Prosecution’s Second Amended Indictment, 1 March 2021 (public with public and confidential annexes); *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-PT, Decision on Prosecution Motion to Amend the Indictment, 24 February 2021, para. 22.

⁶ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-I, Decision on Félicien Kabuga’s Motion to Amend the Arrest Warrant and Order for Transfer, 21 October 2020 (“Decision of 21 October 2020”), para. 2; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-I, Decision on Prosecutor’s Request to Amend the Arrest Warrant and Order for Transfer, 27 May 2020, para. 2.

⁷ See *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-I, Order Scheduling an Initial Appearance, 8 November 2020, pp. 1, 2; Decision of 21 October 2020, paras. 11-18.

⁸ See *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Further Decision on Félicien Kabuga’s Fitness to Stand Trial, 6 June 2023 (“Decision of 6 June 2023”), para. 8; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Transcript 29 September 2022 pp. 1-44.

⁹ See Impugned Decision, para. 2; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Order Amending the Medical Reporting Regime, 25 September 2023, p. 2; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-PT, Order Following Initial Appearance, 25 November 2020, p. 3.

composed of: Professor Gillian Mezey, forensic psychiatrist; Professor Henry Gerard Kennedy, forensic psychiatrist; and Professor Patrick Cras, neurologist.¹⁰

3. On 6 June 2023, the Trial Chamber issued a decision, finding, by majority, that Kabuga was not fit for trial and that he was very unlikely to regain fitness in the future.¹¹ The Trial Chamber further decided that, in these circumstances, the most appropriate course of action was to proceed with “an alternative finding procedure that resembles a trial as closely as possible, but without the possibility of a conviction”.¹² On 7 August 2023, the Appeals Chamber upheld the Trial Chamber’s finding that Kabuga was not fit to stand trial and that it was very unlikely for him to regain fitness in the future.¹³ However, the Appeals Chamber found that, in adopting an “alternative finding procedure”, the Trial Chamber erroneously exercised discretion that was not conferred upon it by the Mechanism’s statutory framework.¹⁴ The Appeals Chamber considered that the most appropriate way to proceed in the circumstances of the case was to remand the matter to the Trial Chamber with an instruction to impose an indefinite stay of proceedings.¹⁵ The Appeals Chamber considered it imperative that, in staying the proceedings, the Trial Chamber expeditiously consider the appropriate modalities and conditions for Kabuga’s release, and instructed the Trial Chamber to this effect.¹⁶

4. On 8 September 2023, the Trial Chamber issued a decision indefinitely staying the proceedings and ordering that Kabuga remain in detention pending the resolution of the issue of his provisional release.¹⁷ The Trial Chamber further ordered the Registry of the Mechanism (“Registry” or “Registrar”) to use its good offices to provide all possible support in facilitating contact and communication between the Defence and the authorities of the States in which Kabuga would seek provisional release.¹⁸ The Defence was thereafter ordered to file regular reports – initially every 14 days and later adjusted to “as soon as possible should there be any material developments” – on the

¹⁰ See Impugned Decision, para. 2, n. 2 and references cited therein. See also *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-PT, Registrar’s Submission in Relation to the “Decision on Félicien Kabuga’s Fitness to Stand Trial and to be Transferred to and Detained in Arusha” of 13 June 2022, 18 July 2022 (public with confidential annex), paras. 2-4; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-PT, Decision on Félicien Kabuga’s Fitness to Stand Trial and to be Transferred to and Detained in Arusha, 13 June 2022, paras. 13, 19, 62. On 23 January 2026, the Trial Chamber suspended, until further order, the periodic monitoring reports by the Independent Experts. See *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Further Order Amending the Medical Reporting Regime, 23 January 2026, p. 3.

¹¹ Decision of 6 June 2023, paras. 39, 57, 59.

¹² See Decision of 6 June 2023, paras. 46-57, 59.

¹³ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-AR80.3, Decision on Appeals of Further Decision on Félicien Kabuga’s Fitness to Stand Trial, 7 August 2023 (“Decision of 7 August 2023”), paras. 48, 74.

¹⁴ Decision of 7 August 2023, para. 72.

¹⁵ Decision of 7 August 2023, paras. 74, 79.

¹⁶ Decision of 7 August 2023, paras. 75, 76, 79.

¹⁷ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Decision Imposing an Indefinite Stay of Proceedings, 8 September 2023 (“Decision of 8 September 2023”), p. 5.

¹⁸ Decision of 8 September 2023, p. 5.

steps taken and the progress made in identifying an appropriate and willing State to which Kabuga may be released.¹⁹ As of the issuance of this Decision, the Defence has filed 34 reports pursuant to the Trial Chamber’s instruction.²⁰

5. To date, no State, where Kabuga wishes to go to, has agreed to accept him onto its territory.²¹ Only the Republic of Rwanda (“Rwanda”), the country of Kabuga’s nationality, informed the Trial Chamber that it is willing to cooperate with the Mechanism and that it is an appropriate State into which Kabuga may be provisionally released.²² On 22 July 2024, the Trial Chamber instructed the Registrar to make inquiries with the Rwandan authorities about the facilities available for Kabuga’s care in Rwanda, and further invited the Independent Experts to indicate whether they are able to assess Kabuga’s fitness to travel to, and be released in, Rwanda.²³

6. Having considered the Independent Experts’ opinion and further submissions from the parties,²⁴ on 16 December 2024, the Trial Chamber determined that it would benefit from additional medical expertise to guide its decision on Kabuga’s fitness to travel by air, including to Rwanda.²⁵ It therefore instructed the Registrar to appoint an “independent expert in the field of critical care medicine and medical transfers with experience in aeromedical transport or ‘fit-to-fly’ assessments”.²⁶

¹⁹ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Order for Progress Reports in Relation to Provisional Release, 25 September 2023 (“Order on Progress Reporting Regime”), pp. 1, 2; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Order Amending the Progress Reporting Regime in Relation to Provisional Release, 17 December 2024 (“Order Amending the Progress Reporting Regime”), p. 2.

²⁰ *See, e.g., Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Thirty-Fourth Progress Report in Relation to the Provisional Release of Félicien Kabuga Pursuant to the Trial Chamber’s Orders of 25 September 2023 and 17 December 2024, 17 December 2025 (original filed in French; English translation filed on 27 January 2026) (confidential); *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Thirty-Third Progress Report in Relation to the Provisional Release of Félicien Kabuga Pursuant to the Trial Chamber’s Orders of 25 September 2023 and 17 December 2024, 16 September 2025 (original filed in French; English translation filed on 25 September 2025) (confidential); *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Thirty-Second Progress Report in Relation to the Provisional Release of Félicien Kabuga Pursuant to the Trial Chamber’s Orders of 25 September 2023 and 17 December 2024, 23 June 2025 (original filed in French; English translation filed on 1 July 2025) (confidential).

²¹ *See* Impugned Decision, para. 5.

²² *See* Impugned Decision, para. 6; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission Pursuant to the Order in Relation to a Communication from the Registrar, 16 February 2024, Annex (Submissions from the Government of Rwanda in Relation to the Provisional Release of Félicien Kabuga), Registry Pagination (“RP.”) 6172, 6171.

²³ *See* Impugned Decision, para. 6; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Order for Submissions, 22 July 2024 (confidential), p. 2.

²⁴ *See* Impugned Decision, paras. 8-10 and references cited therein.

²⁵ *See* Impugned Decision, para. 11; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Order for Further Independent Medical Expert Evaluation, 16 December 2024 (confidential), 16 December 2024 (“Order of 16 December 2024”), p. 3.

²⁶ Order of 16 December 2024, p. 4. *See also* Impugned Decision, para. 11.

7. Pursuant to the Trial Chamber’s instruction, on 29 January 2025, the Registrar appointed Dr. Gert Muurling (“Dr. Muurling”), an expert in critical care medicine and medical transfers,²⁷ and, on 22 April 2025, filed Dr. Muurling’s report.²⁸ Having received further submissions from the parties, on 2 June 2025, the Trial Chamber requested more information and clarifications from Dr. Muurling.²⁹ On 23 June 2025, the Registrar filed a supplementary report from Dr. Muurling.³⁰ Neither party filed a submission in response to the Dr. Muurling Supplementary Report.³¹ On 5 November 2025, the Prosecution filed an expert opinion from Dr. Liam Scott (“Dr. Scott”), an air ambulance doctor, which the Trial Chamber declined to consider.³²

8. On 14 November 2025, the Trial Chamber issued the Impugned Decision, wherein it: (i) found that Kabuga was not fit to fly to Rwanda; (ii) requested European States, especially those close to the Netherlands and where Kabuga has made an application for provisional release, to reconsider accepting him onto their territories based on his current medical condition; and (iii) denied the Registrar’s request for authorization to share Kabuga’s medical information with Rwandan authorities for the purpose of inquiring about the facilities available for Kabuga’s care in Rwanda.³³

9. In its submissions before the Appeals Chamber, the Prosecution argues that the Trial Chamber has been unable to resolve the issue of Kabuga’s continued detention, thus warranting appellate intervention.³⁴ The Prosecution maintains that the Appeals Chamber should enforce the Decision of 7 August 2023 that Kabuga must be expeditiously released either by: (i) correcting the Trial Chamber’s errors in the Impugned Decision and resolving the matter itself by releasing Kabuga to Rwanda (“Appeal”);³⁵ or (ii) reconsidering the Decision of 7 August 2023 to remand the matter to the Trial Chamber and refer instead the matter to the President of the Mechanism

²⁷ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Order for Further Independent Medical Expert Evaluation” of 16 December 2024, 4 February 2025 (confidential with confidential annex), para. 3. *See also* Impugned Decision, para. 12.

²⁸ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Decision on Registrar’s Second Submission in Relation to the Order of 16 December 2024” Dated 7 March 2025, 22 April 2025, (confidential with confidential annex), paras. 4, 8, Annex (Extended Advice on Fitness to Fly (Fit-to-Fly) for Mr. Félicien Kabuga) (“Dr. Muurling Report”). *See also* Impugned Decision, para. 14.

²⁹ *See* Impugned Decision, para. 15; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Order for Further Submissions from the Independent Medical Expert, 2 June 2025, pp. 2, 3, Annex.

³⁰ *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Order for Further Submissions from the Independent Medical Expert” of 2 June 2025, 23 June 2025 (confidential with confidential annex), paras. 2, 4, Annex (“Dr. Muurling Supplementary Report”). *See also* Impugned Decision, para. 16.

³¹ *See* Impugned Decision, para. 19.

³² *See* Impugned Decision, para. 20, *referring, inter alia, to Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Prosecution Submission of Expert Opinion on Aeromedical Transfers, 5 November 2025.

³³ *See* Impugned Decision, paras. 27, 31, 32. *See also* Impugned Decision, paras. 7, 30.

³⁴ *See* Prosecution Submission, paras. 1-4, 19.

³⁵ Prosecution Submission, paras. 1, 3, 4, 5, 19; Reply, para. 6. *See also* Prosecution Submission, paras. 6-15.

(“President” and “Request for Reconsideration”, respectively).³⁶ The Defence opposes the Prosecution Submission in its entirety.³⁷

II. DISCUSSION

A. Preliminary Matters

10. The Appeals Chamber will consider first whether it is properly seised of the Appeal. The Prosecution submits that the Appeals Chamber has inherent jurisdiction to consider the Appeal as, in view of the indefinite stay of proceedings, there is no possibility for appellate intervention in a certified interlocutory appeal or post-judgement appeal.³⁸ The Defence responds that the Prosecution’s failure to seek leave from the Trial Chamber to appeal the Impugned Decision, pursuant to Rule 80(B) of the Rules, renders the Appeal inadmissible.³⁹

11. The Appeals Chamber recalls that it has inherent jurisdiction over the enforcement of its orders and any decision rendered as a consequence thereof.⁴⁰ In the Decision of 7 August 2023, the Appeals Chamber remanded the matter to the Trial Chamber with an instruction to, *inter alia*, expeditiously address the issue of Kabuga’s detention on remand.⁴¹ Having acknowledged that identifying a State that will accept Kabuga on its territory may present obstacles, the Appeals Chamber emphasized that such a consideration may not be the basis for Kabuga’s continuous detention on remand, pursuant to an order of the Mechanism.⁴² It therefore invited the Trial Chamber to expeditiously consider the appropriate modalities and conditions for his release.⁴³ The Impugned Decision is directly related to the implementation of the Appeals Chamber’s instruction to this effect. Accordingly, the Appeals Chamber finds that it has inherent jurisdiction to consider the Appeal.

³⁶ Prosecution Submission, paras. 1, 3, 4, 16, 19; Reply, para. 6. *See also* Prosecution Submission, paras. 17, 18.

³⁷ Response, paras. 53, 54.

³⁸ The Prosecution posits that the Appeals Chamber has inherent jurisdiction over the enforcement of its orders and any decisions rendered as a consequence thereof and, further, that certification under Rule 80(B) of the Rules of Procedure and Evidence of the Mechanism (“Rules”) is inapplicable because “the proceedings” have been stayed indefinitely and therefore cannot be “advanced” as required by the Rule. *See* Prosecution Submission, para. 4, n. 6 and references cited therein; Reply, n. 3.

³⁹ *See* Response, paras. 26, 27, 53.

⁴⁰ *See In Re. André Ntagerura*, Case No. ICTR-99-46-A28, Decision on Motion for Leave to Appeal the President’s Decision of 31 March 2008 and the Decision of Trial Chamber III Rendered on 15 May 2008, 11 September 2008, para. 12.

⁴¹ Decision of 7 August 2023, para. 79.

⁴² Decision of 7 August 2023, para. 76.

⁴³ Decision of 7 August 2023, paras. 76, 79.

12. The Appeals Chamber turns next to the question of whether the Prosecution Submission complies with the requirements of the relevant practice direction.⁴⁴ The Defence alleges that the Prosecution Submission circumvents the applicable word limit by placing full reference citations in a glossary, including argumentative material in an annex, and omitting spaces between characters.⁴⁵ The Prosecution maintains that its submission complies with the Practice Direction and relevant jurisprudence.⁴⁶

13. Pursuant to paragraph 16 of the Practice Direction, an appendix or book of authorities that contains references or other non-argumentative material does not count towards the word limit. Accordingly, the glossary, which identifies the short form references used in the Prosecution Submission, is excluded from the word limit. The confidential annex to the Prosecution Submission provides the citation of confidential references, accompanied by either a quotation or a summary of the relevant text.⁴⁷ The Appeals Chamber does not consider the annex argumentative in nature and is satisfied with the Prosecution's explanation that it was filed separately for reasons of confidentiality.⁴⁸ Finally, concerning the omission of spaces between characters, the Appeals Chamber observes that the Prosecution Submission is 241 words short of the 3,000-word limit prescribed in the Practice Direction.⁴⁹ In view of this, the Appeals Chamber considers the occasional spacing issues in the Prosecution Submission, which would reduce the resulting word count, to be due to formatting errors. The Appeals Chamber therefore accepts that the Prosecution Submissions was filed in compliance with the Practice Direction.

B. Prosecution Appeal

14. The Prosecution alleges that the Trial Chamber erred in allowing the Defence to control the process by pursuing unrealistic prospects for Kabuga's release in two European States that had already declined to receive him onto their territories.⁵⁰ It emphasizes that, being indicted for genocide and having evaded justice for 20 years with the support of his Europe-based family members, Kabuga is excluded from protection under the Convention Relating to the Status of Refugees⁵¹ and European law, and national authorities are almost certain to reject applications from

⁴⁴ Practice Direction on Length of Briefs and Motions, MICT/11/Rev.1, 20 February 2019 ("Practice Direction").

⁴⁵ Response, paras. 19-23.

⁴⁶ Reply, para. 2 and references cited therein.

⁴⁷ Prosecution Submission, Annex.

⁴⁸ Reply, para. 2.

⁴⁹ See Practice Direction, para. 15.

⁵⁰ Prosecution Submission, paras. 5-7. Reply, para. 3.

⁵¹ See Convention Relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954) 189 UNTS 137.

an individual with his profile, regardless of his medical condition.⁵² The Prosecution submits that, against this background, the Trial Chamber erred in failing to impose deadlines or order alternatives for the Defence to explore, in not consulting Rwanda despite Rwanda's willingness to assist the Mechanism, and in declining to consider whether Rwanda would be an appropriate State for Kabuga's release.⁵³

15. The Prosecution also alleges that the Trial Chamber erred in disregarding and/or misreading relevant evidence when assessing the risk of flying Kabuga to Rwanda.⁵⁴ According to the Prosecution, the Trial Chamber ignored Dr. Muurling's conclusion that flying Kabuga in an air ambulance would effectively avoid the most serious risks by reducing cabin pressure to nearly sea level, among other recommendations for mitigation.⁵⁵ The Prosecution contends that the Trial Chamber ignored an article in a medical peer-review journal that was presented by the Prosecution, according to which most air ambulance aircraft allow for the safe transport of even the most critical patients of all age groups.⁵⁶

16. The Prosecution further argues that the Trial Chamber erred in deferring to Kabuga's consent and in prioritizing his preferences when determining the Mechanism's duty of care.⁵⁷ According to the Prosecution, in effectively permitting Kabuga to elect to remain in detention at the Mechanism's expense, the Trial Chamber interpreted the Mechanism's duty of care to be significantly higher than required by relevant human rights standards.⁵⁸ The Prosecution emphasizes that Kabuga's current situation is of his own making, having evaded justice for decades, and submits that, to the extent that Kabuga's desire to remain in Europe is based on family preferences, this is not a relevant consideration.⁵⁹

17. The Defence responds that the Prosecution merely expresses its disagreement with the Trial Chamber's management of the proceedings, without identifying a specific error in the Impugned

⁵² Prosecution Submission, para. 8 and references cited therein.

⁵³ Prosecution Submission, paras. 6, 7, 9.

⁵⁴ See Prosecution Submission, para. 13. Reply, paras. 4, 5.

⁵⁵ Prosecution Submission, para. 13, *referring to* Dr. Muurling Supplementary Report, Section A(ii)-(v). According to the Prosecution, the Trial Chamber ignored evidence explaining that the concept "fitness to fly" applies to passengers on commercial flights, and that Dr. Muurling, despite considering Kabuga not fit to fly, nevertheless concludes that he can safely fly on a long-range flight in an air ambulance. See Prosecution Submission, para. 14.

⁵⁶ Prosecution Submission, para. 15, *referring, inter alia, to Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Prosecution Submission Pursuant to the Chamber's 14 October 2024 Confidential Order for Submissions Concerning the Possibility of Kabuga's Release to Rwanda, 28 October 2024 (confidential with confidential annexes) ("Prosecution Submission of 28 October 2024"), Annex A, RP. 6779.

⁵⁷ Prosecution Submission, para. 10.

⁵⁸ Prosecution Submission, para. 10 and references cited therein.

⁵⁹ Prosecution Submission, paras. 11, 12.

Decision.⁶⁰ It submits that the Trial Chamber correctly upheld Kabuga's rights by considering his views on the State to be released to, and maintains that discussions with the two identified European States are "moving forward".⁶¹ The Defence further argues that the Prosecution disregards that, according to expert evidence, transferring Kabuga to Rwanda would endanger his life, and that in Rwanda he would not be genuinely released, his life and liberty would be at risk, he could not receive adequate medical care, and would have no contact with his family.⁶²

18. The Appeals Chamber recalls that a decision on provisional release is discretionary and that, in order to successfully challenge a discretionary decision, a party must demonstrate that the Trial Chamber has committed a discernible error in that the decision is: (i) based on an incorrect interpretation of governing law; (ii) based on a patently incorrect conclusion of fact; or (iii) so unfair or unreasonable as to constitute an abuse of discretion.⁶³ The Appeals Chamber will also consider whether the Trial Chamber has given weight to extraneous or irrelevant considerations or has failed to give weight or sufficient weight to relevant considerations in reaching the decision.⁶⁴ The relevant inquiry is whether the Trial Chamber has correctly exercised its discretion in reaching the decision, not whether the Appeals Chamber agrees with it.⁶⁵

19. The Appeals Chamber turns first to the Prosecution's submission that the Trial Chamber erred in purportedly allowing the Defence to pursue unrealistic prospects for Kabuga's release and in prioritizing his preferences.⁶⁶ In the Impugned Decision, the Trial Chamber noted that Rule 68 of the Rules contemplates provisional release only to a State to which the accused seeks to be released, and that there is no practice before the ICTR, the International Criminal Tribunal for the former Yugoslavia or the Mechanism of provisional release to a State over an accused's objection.⁶⁷ While Defence efforts indeed appear to have focused primarily on two prospective States where Kabuga has family members willing to assist with his care, the procedural history of the matter

⁶⁰ See Response, paras. 11-13, 14(a), 16, 17(b), 18, 28-30, 32, 38, 41, 48.

⁶¹ Response, paras. 12, 17(c), 39(a). According to the Defence, the Prosecution inaccurately claims that the Trial Chamber limited its efforts exclusively to Europe as the option of transferring Kabuga to Rwanda was thoroughly examined. Response, para. 42.

⁶² Response, paras. 39(b), 43.

⁶³ See, e.g., *Prosecutor v. Maximilien Turinabo et al.*, Case No. MICT-18-116-AR68.5, Decision on Prosecution Appeal Against the Decision Granting Fatuma Provisional Release, 9 August 2019 ("*Turinabo et al.* Decision of 9 August 2019"), para. 5; *Prosecutor v. Maximilien Turinabo et al.*, Case Nos. MICT-18-116-AR68.2, MICT-18-116-AR68.3, Decision on Prosecution Appeals Against the Decisions Granting Turinabo and Ndagijimana Provisional Release, 5 August 2019 ("*Turinabo et al.* Decision of 5 August 2019"), para. 6.

⁶⁴ See, e.g., *Turinabo et al.* Decision of 9 August 2019, para. 5; *Turinabo et al.* Decision of 5 August 2019, para. 6.

⁶⁵ See, e.g., *Turinabo et al.* Decision of 9 August 2019, para. 5; *Turinabo et al.* Decision of 5 August 2019, para. 6; *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-AR65.1, Public Redacted Version of "Decision on Interlocutory Appeal Against Decision on Urgent Defence Motion for Provisional Release" Issued on 27 June 2017, 30 June 2017, para. 3.

⁶⁶ See Prosecution Submissions, paras. 6-9, 11, 12.

⁶⁷ Impugned Decision, para. 22.

demonstrates that the Trial Chamber repeatedly encouraged the Defence to explore the possibility of release to other States where Kabuga could be safely transported or of altering his conditions of detention.⁶⁸ This is in addition to instructing the Registry to provide all possible support in facilitating contact and communication with relevant State authorities.⁶⁹ Contrary to the Prosecution's submission, the Trial Chamber also imposed deadlines for the Defence to report – initially every 14 days and later as soon as any material developments arise – on the progress that it has made in identifying a State to which Kabuga may be provisionally released.⁷⁰ Notwithstanding Kabuga's objections, in line with the Appeals Chamber's instruction that difficulties in identifying a State willing to accept Kabuga on its territory may not be the basis for his continuous detention on remand, the Trial Chamber considered it prudent to determine whether Kabuga is fit to be transported to Rwanda – the only State currently willing to accept him on its territory.⁷¹ Against this background, the Prosecution's submissions show no error in the exercise of the Trial Chamber's discretion.

20. The Appeals Chamber turns next to the Prosecution's argument that the Trial Chamber erred in disregarding relevant evidence when assessing the risk of flying Kabuga to Rwanda in an air ambulance. In this regard, the Appeals Chamber notes that the Prosecution is not challenging the Trial Chamber's decision not to consider Dr. Scott's report.⁷² Rather, it alleges that the Trial Chamber ignored other relevant evidence from Dr. Muurling and peer-reviewed scholarship on the record.⁷³

21. With respect to Kabuga's fitness to travel to Rwanda, the Trial Chamber noted that the Independent Experts and Dr. Muurling were unanimous that Kabuga is not fit to fly to Rwanda due to his physical and mental frailty.⁷⁴ The Trial Chamber specifically noted that, according to the Independent Experts, "travel to Rwanda would pose a 'serious [...] challenge to [Kabuga's]

⁶⁸ See Impugned Decision, paras. 21, 22.

⁶⁹ Impugned Decision, paras. 4, 21.

⁷⁰ See Order on Progress Reporting Regime, pp. 1, 2; Order Amending the Progress Reporting Regime, p. 2.

⁷¹ Impugned Decision, para. 22, n. 58. See also Decision of 7 August 2023, para. 76.

⁷² See Impugned Decision, para. 20.

⁷³ See Prosecution Submission, paras. 13-15.

⁷⁴ Impugned Decision, para. 24, referring, *inter alia*, to *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar's Submission in Relation to the "Decision on Félicien Kabuga's Fitness to Stand Trial and to be Transferred to and Detained in Arusha" of 13 June 2022, the "Further Decision on Félicien Kabuga's Fitness to Stand Trial" of 6 June 2023, the "Decision Imposing an Indefinite Stay of Proceedings" of 8 September 2023, and the "Order for Submissions" of 22 July 2024, 23 August 2024 (confidential with confidential annex) ("Fifth Monitoring Report"), RP. 6645, 6638, 6625, 6624, 6616, 6615, *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar's Submission in Relation to the "Decision on Félicien Kabuga's Fitness to Stand Trial and to be Transferred to and Detained in Arusha" of 13 June 2022, the "Further Decision on Félicien Kabuga's Fitness to Stand Trial" of 6 June 2023, the "Decision Imposing an Indefinite Stay of Proceedings" of 8 September 2023, and the "Order for Submissions" of 22 July 2024, 18 February 2025 (confidential with confidential annex) ("Sixth Monitoring Report"), RP. 6972, 6967, 6962, 6947, Dr. Muurling Report, RP. 7046, Dr. Muurling Supplementary Report, RP. 7111-7107.

physical and mental health’, which could ‘precipitate any of a number of health crises including neurological, cardiac, respiratory or gastroenterological adverse events’, cause him ‘unnecessary suffering’”, and potentially ““endanger his health to a life-shortening degree””.⁷⁵ The Trial Chamber also cited Dr. Muurling’s opinion that flying Kabuga to Rwanda “puts him at severe risk of medical deterioration” and that there is a “high chance of delayed negative effects of a long range flight occurring within the first 10 days after flying”.⁷⁶ The Trial Chamber further took into account recent medical reports from the Medical Officer of the UNDU, which supported the conclusion that Kabuga, whose medical condition has deteriorated, is not fit to travel to Rwanda.⁷⁷ Another factor that the Trial Chamber considered was the adverse psychological effects of flying Kabuga to Rwanda contrary to his will and preferences, in so far as this may adversely affect his health, including shortening his lifespan.⁷⁸

22. Specifically in relation to Dr. Muurling’s evidence, on appeal, the Prosecution points to Dr. Muurling’s conclusion that the risk of more severe effects as a result of a long-range flight could be mitigated by arranging for three short-range flights, with two to three days of rest in-between each flight, and by introducing measures prior to, during, and after flying to detect possible health complications.⁷⁹ The Prosecution also points to Dr. Muurling’s opinion that, flying at a lower altitude in an air ambulance jet or a private jet, with the possibility to administer oxygen if and when necessary, would allow for Kabuga’s transportation on a long-range flight as well.⁸⁰ The Prosecution further refers to an article in a medical peer-review journal, stating that “most air

⁷⁵ Impugned Decision, para. 26, referring, *inter alia*, to Fifth Monitoring Report, RP. 6645, 6644, Sixth Monitoring Report, RP. 6972, 6947.

⁷⁶ Impugned Decision, para. 25, referring, *inter alia*, to Dr. Muurling Report, RP. 7047, 7046.

⁷⁷ See Impugned Decision, paras. 24, 29, referring, *inter alia*, to *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Order Following Initial Appearance” of 25 November 2020 and the “Order Amending the Medical Reporting Regime” of 25 September 2023, 19 June 2025 (public with confidential annex), Annex, RP. 7095, 7094, *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Order Following Initial Appearance” of 25 November 2020 and the “Order Amending the Medical Reporting Regime” of 25 September 2023, 17 July 2025 (public with confidential annex), Annex, RP. 7128, 7127, *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Order Following Initial Appearance” of 25 November 2020 and the “Order Amending the Medical Reporting Regime” of 25 September 2023, 21 August 2025 (public with confidential annex), Annex, RP. 7185, 7184, *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Order Following Initial Appearance” of 25 November 2020 and the “Order Amending the Medical Reporting Regime” of 25 September 2023, 18 September 2025 (public with confidential annex), Annex, RP. 7208, 7207; *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Registrar’s Submission in Relation to the “Order Following Initial Appearance” of 25 November 2020 and the “Order Amending the Medical Reporting Regime” of 25 September 2023, 16 October 2025 (public with confidential annex), Annex.

⁷⁸ Impugned Decision, para. 26.

⁷⁹ Prosecution Submission, para. 13, referring, *inter alia*, to Dr. Muurling Supplementary Report, Section A(ii)-(iv).

⁸⁰ Prosecution Submission, para. 14, referring, *inter alia*, to Dr. Muurling Supplementary Report, Section A(v).

ambulance aircraft are equipped to a very high medical standard, allowing for the safe transport of even the most critical patients of all age groups”.⁸¹

23. The Appeals Chamber finds unpersuasive the Prosecution’s argument that the Trial Chamber disregarded the above-described expert evidence and peer-reviewed scholarship when assessing the risk of flying Kabuga to Rwanda. In the Impugned Decision, the Trial Chamber referenced the Prosecution’s submission that peer-reviewed scholarship suggested air ambulance aircraft as a way to safely transport patients in critical condition of all age groups.⁸² The Trial Chamber also explicitly recounted the measures proposed by Dr. Muurling to mitigate the risks of flying Kabuga to Rwanda, including the possibility of transferring Kabuga in an air ambulance at a lower altitude and providing shorter flights with a medical escort team.⁸³ Having weighed the medical information before it, the Trial Chamber accepted Dr. Muurling’s view that any such measures would only to some extent reduce but not sufficiently mitigate the risks to Kabuga for him to be considered fit to fly.⁸⁴ Even if, as argued by the Prosecution, Dr. Muurling’s view in this regard may have been with reference to Kabuga’s fitness to fly on a commercial aircraft,⁸⁵ the Trial Chamber ultimately placed decisive weight on Dr. Muurling’s opinion that the “negative effects” on Kabuga’s “vascular system and lungs inevitably ‘will take place’” if he were to fly on any aircraft, acknowledging that the severity of such effects cannot be predicted.⁸⁶ Having considered the totality of the medical evidence on the record, the Trial Chamber concluded that flying Kabuga to Rwanda “would pose a clear and substantial risk to [his] life”.⁸⁷ In view of the Trial Chamber’s detailed discussion and thorough consideration of the expert opinion before it, the Prosecution fails to show that the Trial Chamber committed a discernible error in disregarding relevant evidence on the risk of flying Kabuga to Rwanda.

24. The Appeals Chamber turns next to the Prosecution’s argument that the Trial Chamber erroneously interpreted the Mechanism’s duty of care towards Kabuga as significantly higher than that required by relevant human rights standards.⁸⁸ The authorities cited by the Prosecution in support of its submission concern cases that are distinguishable from the present one, in that they prescribe that States may not remove an individual from their territory if: (i) there is a real risk of

⁸¹ Prosecution Submission, para. 15, *referring, inter alia, to* Prosecution Submission of 28 October 2024, Annex A, RP. 6779.

⁸² *See* Impugned Decision, para. 10, *referring, inter alia, to* Prosecution Submission of 28 October 2024, para. 5.

⁸³ *See* Impugned Decision, para. 28.

⁸⁴ Impugned Decision, para. 28, *referring, inter alia, to* Dr. Muurling Report, RP. 7046, Dr. Muurling Supplementary Report, RP. 7110. *See also* Dr. Muurling Report, RP. 7045; Dr. Muurling Supplementary Report, RP. 7109.

⁸⁵ *See* Prosecution Submission, para. 14.

⁸⁶ Impugned Decision, para. 28, *referring, inter alia, to* Dr. Muurling Supplementary Report, RP. 7109.

⁸⁷ Impugned Decision, para. 30.

⁸⁸ Prosecution Submission, para. 10.

irreparable harm to that individual as a result of human rights violations in the “country to which removal is to be effected or in any country to which the person may subsequently be removed”, or (ii) the individual is suffering from serious illness and is either at imminent risk of dying or would face a real risk on account of the absence of, or access to, appropriate treatment in the “receiving country” or “country of origin”.⁸⁹ In relation to Kabuga, however, the Trial Chamber did not base its conclusion on Rwanda’s capacity to provide safety or adequate care to Kabuga.⁹⁰ Instead, its consideration was exclusively focused on whether Kabuga may be transported to Rwanda by air, without the flight itself posing a clear and substantial risk to his life.⁹¹

25. Nevertheless, the authorities cited by the Prosecution centre on the protection of the fundamental rights to life and to not being subjected to torture or cruel, inhuman or degrading treatment or punishment enshrined in Articles 6(1) and 7 of the International Covenant on Civil and Political Rights (“ICCPR”) and in Articles 2(1) and 3 of the European Convention on Human Rights (“ECHR”).⁹² The Appeals Chamber observes that, in deciding whether Kabuga can be

⁸⁹ Prosecution Submission, para. 10, nn. 31-33, *referring, inter alia, to J, K, L, and M v. Sweden*, CCPR/C/140/D/2936/2017, Decision Adopted by the Committee under the Optional Protocol, Concerning Communication No. 2936/2017, 1 May 2024 (“*Sweden Case*”), paras. 6.1, 7.5, 7.7, General Comment No. 31, CCPR/C/21/Rev.1/Add. 13, The Nature of the General Legal Obligation Imposed on State Parties to the Covenant, 26 May 2004 (“*General Comment No. 31*”), para. 12, *A.R.J v. Australia*, CCPR/C/60/D/692/1996, Views, Communication No. 692/1996, 11 August 1997 (“*Australia Case*”), para. 6.8, *Case of Savran v. Denmark*, Application No. 57467/15, Judgment, 7 December 2021 (“*Savran v. Denmark*”), para. 134, *Case of Paposhvili v. Belgium*, Application No. 41738/10, Judgment, 13 December 2016 (“*Paposhvili v. Belgium*”), para. 183, *Case of A.S. v. Switzerland*, Application No. 39350/13, Judgment, 30 September 2015 (“*A.S. v. Switzerland*”), para. 31.

⁹⁰ See Impugned Decision, para. 31.

⁹¹ See Impugned Decision, paras. 30, 31.

⁹² International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171; European Convention on Human Rights (adopted 4 November 1950, entered into force 3 September 1953). See Prosecution Submission, para. 10, *referring, inter alia, to* General Comment No. 31, para. 12 (requiring States Parties to respect the obligation “not to extradite, deport, expel or otherwise remove a person from their territory, where there are substantial grounds for believing that there is a real risk of irreparable harm, such as that contemplated by articles 6 and 7 of the [ICCPR], either in the country to which removal is to be effected or in any country to which the person may subsequently be removed.”), *Sweden Case*, para. 7.5 (“The [Human Rights] Committee recalls its [G]eneral [C]omment No. 31 (2004) on the nature of the general legal obligation imposed on States parties to the [ICCPR], in which it refers to the obligation of States parties not to extradite, deport, expel or otherwise remove a person from their territory when there are substantial grounds for believing that there is a real risk of irreparable harm, such as that contemplated by articles 6 and 7 of the [ICCPR] (para. 12). According to the jurisprudence of the Committee, the risk must be personal, and there is a high threshold for providing substantial grounds to establish the existence of a real risk of irreparable harm. [...]”), *Australia Case*, para. 6.8 (“What is at issue in this case is whether by deporting Mr. J. to Iran, Australia exposes him to a real risk (that is, a necessary and foreseeable consequence) of a violation of his rights under the [ICCPR]. [...] The right to life is the most fundamental of these rights.”), *Paposhvili v. Belgium*, para. 183 (“The [European Court of Human Rights (“ECtHR”)] considers that the ‘other very exceptional cases’ [...] which may raise an issue under Article 3 should be understood to refer to situations involving the removal of a seriously ill person in which substantial grounds have been shown for believing that he or she, although not at imminent risk of dying, would face a real risk, on account of the absence of appropriate treatment in the receiving country or the lack of access to such treatment, of being exposed to a serious, rapid and irreversible decline in his or her state of health resulting in intense suffering or to a significant reduction in life expectancy. The [ECtHR] points out that these situations correspond to a high threshold for the application of Article 3 of the [ECHR] in cases concerning the removal of aliens suffering from serious illness.”), *A.S. v. Switzerland*, para. 31 (“With regard to the expulsion of seriously ill persons, [...] [t]he fact that the applicant’s circumstances, including his life expectancy, would be significantly reduced if he were to be removed from the Contracting State is not sufficient in itself to give rise to a

released to Rwanda, the Trial Chamber recalled that the Mechanism’s “duty of care” requires it to ensure the welfare of released persons, including enquiring whether their life would be at risk upon relocation.⁹³ The Trial Chamber opined that, in the context of this case, it must satisfy itself that travel to Rwanda “would not place [Kabuga’s] life at significant risk”.⁹⁴ Having found that flying Kabuga to Rwanda “would pose a clear and substantial risk to [his] life”, the Trial Chamber concluded that ordering Kabuga’s release in Rwanda is “incompatible with the Mechanism’s duty of care to him”.⁹⁵ The Prosecution fails to demonstrate that the Trial Chamber erroneously interpreted the Mechanism’s duty of care towards Kabuga as significantly higher than that required by relevant human rights standards.

26. In view of the foregoing, the Prosecution has failed to demonstrate that the Trial Chamber committed any discernible error in the Impugned Decision, warranting the Appeals Chamber’s intervention. The Appeal is therefore dismissed.

C. Prosecution Request for Reconsideration

27. In the alternative, the Prosecution submits that, to resolve the matter of Kabuga’s continuous detention, the Appeals Chamber should reconsider the Decision of 7 August 2023, which remanded the matter to the Trial Chamber, and refer the matter to the President instead.⁹⁶ According to the Prosecution, the Trial Chamber’s purportedly “inappropriate deference to Kabuga’s consent and family preferences” in relation to the State for his release has had consequences for the Mechanism at a time “when its budget and operations [...] are under scrutiny by the international community”.⁹⁷ In the Prosecution’s view, the President is vested “with the

breach of Article 3. The decision to remove an alien who is suffering from a serious mental or physical illness to a country where the facilities for the treatment of that illness are inferior to those available in the Contracting State may rise an issue under Article 3, but only in a very exceptional case, where the humanitarian grounds against the removal are compelling.”), *Savran v. Denmark*, para. 134 (“[T]he [ECtHR] reiterates that the evidence adduced must be ‘capable of demonstrating that there are substantial grounds’ for believing that as a ‘seriously ill person’, the applicant ‘would face a real risk, on account of the absence of appropriate treatment in the receiving country or the lack of access to such treatment, of being exposed to a serious, rapid and irreversible decline in his or her state of health resulting in intense suffering or to a significant reduction in life expectancy’ [...]”).

⁹³ Impugned Decision, para. 23, referring to *In the Matter of Emmanuel Rukundo*, Case No. MICT-23-128, Decision on Appeal of a Decision on Request for Temporary Humanitarian Aid, 15 August 2023, para. 22, *In the Matter of Ferdinand Nahimana*, Case No. MICT-23-127, Corrigendum to “Decision on an Appeal of a Decision on Request for Temporary Humanitarian Aid” Issued on 2 August 2023, 4 August 2023, para. 20, *In the Matter of François-Xavier Nzuwonemeye et al.*, Case No. MICT-22-124, Decision on Motions to Appeal Decision of 8 March 2022, for Reconsideration of Decision of 15 March 2022, and to Appear as *Amicus Curiae*, 27 May 2022, para. 24, *See also In Re. André Ntagerura*, Case No. ICTR-99-46-A28, Decision on Motion to Appeal the President’s Decision of 31 March 2008 and the Decision of Trial Chamber III of 15 May 2008, 18 November 2008, para. 19.

⁹⁴ Impugned Decision, para. 23.

⁹⁵ Impugned Decision, para. 30.

⁹⁶ Prosecution Submission, paras. 3, 4, 16, 19.

⁹⁷ Prosecution Submission, para. 16. *See also* Prosecution Submission, para. 18.

authority and competencies to resolve this multifaceted issue”.⁹⁸ In response, the Defence submits that the Prosecution is misusing reconsideration procedures, has not identified any new facts or manifest errors to justify reconsideration, and is inappropriately advocating a diplomatic, rather than a legal solution to Kabuga’s continuous detention on remand.⁹⁹

28. It is well established in the jurisprudence that a party requesting reconsideration must satisfy the Chamber of the existence of a clear error of reasoning in the impugned decision, or of particular circumstances justifying reconsideration in order to avoid injustice, such as any new facts.¹⁰⁰ The Prosecution Submission has failed to meet this standard. The Appeals Chamber has already dismissed the Prosecution’s allegation that the Trial Chamber inappropriately deferred to Kabuga’s consent and family preferences in deciding on a State for his provisional release.¹⁰¹ As for the Prosecution’s remaining arguments – namely its misconceived reference to non-judicial considerations and unsubstantiated assertions regarding the President’s purported authority to adjudicate matters of an accused’s provisional release – they are wholly unmeritorious and warrant summary dismissal.

D. Conclusion

29. The Appeals Chamber is concerned that more than two and a half years after the issuance of the Decision of 7 August 2023 and after the filing of 34 Defence reports on the progress made in identifying a State to which Kabuga may be provisionally released,¹⁰² Kabuga remains in detention pursuant to an order of the Mechanism. The Appeals Chamber also recalls its admonition that challenges in identifying such a State may not be the basis for Kabuga’s continuous detention on remand, pursuant to an order of the Mechanism.¹⁰³ Given the myriad of complexities unique to this case, the Appeals Chamber invites the Trial Chamber to examine the appropriateness of vacating the order for Kabuga’s detention on remand¹⁰⁴ as a way forward through the present impasse. The present Decision is strictly on the merits of the Prosecution Submission and is without prejudice to any future determination on the possibility of transporting Kabuga to a country willing to accept him on its territory.

⁹⁸ Prosecution Submission, para. 17.

⁹⁹ See Response, paras. 31-38, 51, 52.

¹⁰⁰ See, e.g., *Prosecution v. Gérard Ntakirutimana*, Case No. MICT-12-17-R, Decision on Gérard Ntakirutimana’s Motion for Reconsideration of “Decision on Request for Review”, 18 September 2024, p. 5 and references cited therein.

¹⁰¹ See *supra* para. 19.

¹⁰² See *supra* para. 4.

¹⁰³ See Decision of 7 August 2023, para. 76.

¹⁰⁴ See Decision of 8 September 2023, p. 5.

III. DISPOSITION

30. For the foregoing reasons, the Appeals Chamber,


DISMISSES the Prosecution's Appeal in its entirety;

DISMISSES the Prosecution's Request for Reconsideration; and

INVITES the Trial Chamber to examine the appropriateness of vacating the order for Kabuga's detention on remand.

Done in English and French, the English version being authoritative.

Done this 28th day of April 2026
At Arusha,
Tanzania



Judge Carmel Agius
Presiding Judge

[Seal of the Mechanism]



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