

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-22-124

Date: 30 May 2025

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Graciela Gatti Santana, President

Registrar: Mr. Abubacarr M. Tambaou

Decision of: 30 May 2025

IN THE MATTER OF

**FRANÇOIS-XAVIER NZUWONEMEYE
PROSPER MUGIRANEZA
PROTAIS ZIGIRANYIRAZO
ALPHONSE NTEZIRYAYO
ANDRÉ NTAGERURA
INNOCENT SAGAHUTU**

PUBLIC REDACTED VERSION

**DECISION IN RELATION TO THE REQUEST OF
ALPHONSE NTEZIRYAYO FOR AN ORDER FOR ADDITIONAL
INFORMATION**

Counsel for the Relocated Persons:

Mr. Peter Robinson for Mr. François-Xavier Nzuwonemeye
Ms. Kate Gibson for Mr. Prosper Mugiraneza
Mr. John Philpot for Mr. Protais Zigiranyirazo
Mr. Iain Edwards for Mr. Alphonse Nteziryayo
Mr. Philippe Larochelle for Mr. André Ntagerura
Mr. Jean Flamme for Mr. Innocent Sagahutu

I, GRACIELA GATTI SANTANA, President of the International Residual Mechanism for Criminal Tribunals (“President” and “Mechanism”, respectively);

RECALLING that, on 19 December 2022, I instructed the Registrar of the Mechanism (“Registrar”) to, *inter alia*: (i) continue his efforts to find a durable solution to the situation of the acquitted or released persons who were relocated to the Republic of Niger (“Relocated Persons” and “Niger”, respectively); (ii) file on the judicial record an overview of the steps taken by him and the Registry of the Mechanism (“Registry”) in 2022 in addressing the situation of the Relocated Persons; and (iii) file on the judicial record every 60 days thereafter, a report on his efforts to find a solution for the Relocated Persons in line with the Mechanism’s duty of care towards them;¹

NOTING the 13th and 14th bi-monthly submissions of the Registrar with regard to the situation of the Relocated Persons;²

BEING SEISED OF a submission filed by Mr. Alphonse Nteziryayo (“Nteziryayo”) on 20 May 2025, in which he requests that I order the Registrar to file an addendum to the 14th Submission, addressing a number of issues related to [REDACTED],³ including: (i) whether and when the issue of the [REDACTED] was raised by the Registrar with the Nigerien authorities; (ii) the responses received, if any; and (iii) the steps taken by the Registry to follow up on unanswered requests, particularly [REDACTED];⁴

RECALLING that the reporting regime established in the Instruction was, *inter alia*, based on the consideration that “in order for the Relocated Persons to be able to properly indicate their consent or to raise objections to any proposed solution, they must be informed of all developments to the maximum extent appropriate under the circumstances”;⁵

EMPHASISING that the Registrar is leading the efforts to find a durable solution to the situation of the Relocated Persons;⁶

¹ Further Instruction to the Registrar, 19 December 2022 (“Instruction”), p. 3.

² Registrar’s Thirteenth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 6 March 2025 (public with confidential annexes) (“13th Submission”); Registrar’s Fourteenth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 6 May 2025 (public with confidential annex) (“14th Submission”).

³ [REDACTED]

⁴ Nteziryayo Observations on Registrar’s Fourteenth Bi-Monthly Submission and Request for Order for Additional Information, 20 May 2025 (confidential with confidential annexes 1-7) (“Motion”), p. 6. Nteziryayo filed a public version of the Motion on 26 May 2025.

⁵ Decision in relation to Reporting Regime, 13 June 2023, p. 2; Instruction, p. 2 *referring to* Security Council Resolution 2637 (2022), 22 June 2022, para. 5.

⁶ *See e.g.* Decision in Relation to the Request of François-Xavier Nzuwonemeye, 19 November 2024, p. 1; Order on Motion for Status Conference, 16 April 2024, p. 3; Order for Submissions in Relation to Motion for Status Conference, 25 January 2024, p. 2; Decision in Relation to Requests by Anatole Nsengiyumva, 7 December 2023, p. 2.

CONSIDERING the continuous efforts of the Registrar to assist the Relocated Persons, as set out in the Registrar’s bi-monthly submissions;⁷

CONSIDERING that, although as President I am responsible for supervising the activities of the Registry, pursuant to Rule 23 of the Rules of Procedure and Evidence of the Mechanism, having the Registrar lead efforts in this matter requires a degree of deference on my part, especially when it comes to specific issues, such as whether, when, and what information related to his interactions with the authorities of Niger can be shared with counsel for the Relocated Persons;

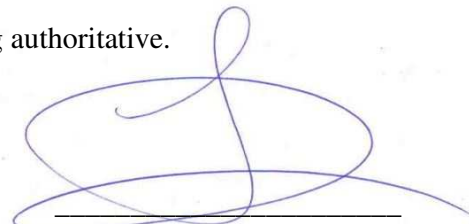
FINDING that, in the current circumstances, I am not convinced that my supervisory role in relation to the Registrar’s activities demands that I issue an order to have an addendum filed;

FOR THE FOREGOING REASONS,

HEREBY DENY the Motion, without prejudice to the Registrar’s discretion to consider providing the requested information in his next submissions, as he deems appropriate.

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

Done this 30th day of May 2025,
At Arusha,
Tanzania.



Judge Graciela Gatti Santana
President

[Seal of the Mechanism]

⁷ 14th Submission; 13th Submission; Registrar’s Twelfth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 6 January 2025 (public with confidential annex); Registrar’s Eleventh Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 1 November 2024 (public with confidential annex); Registrar’s Tenth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 2 September 2024 (public with confidential annex); Registrar’s Ninth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 5 July 2024 (public with confidential annexes); Registrar’s Eighth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 6 May 2024 (public with confidential and confidential and *ex parte* annexes); Registrar’s Seventh Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 8 March 2024 (public with confidential and confidential and *ex parte* annexes); Registrar’s Sixth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 9 January 2024 (public with confidential and confidential and *ex parte* annexes); Registrar’s Fifth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 10 November 2023 (public with confidential and confidential and *ex parte* annexes); Registrar’s Fourth Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 11 September 2023 (public with confidential and confidential and *ex parte* annexes); Registrar’s Third Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 6 July 2023 (public with confidential and confidential and *ex parte* annexes); Registrar’s Second Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 8 May 2023 (public with confidential and confidential and *ex parte* annexes); Registrar’s First Bi-Monthly Submission in Relation to the “Further Instruction to the Registrar” of 19 December 2022, 6 March 2023 (public with confidential annexes).



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