

**UNITED  
NATIONS**



International Residual Mechanism  
for Criminal Tribunals

Case Nos.: MICT-25-134

Date: 16 June 2025

Original: English

**THE PRESIDENT OF THE MECHANISM**

**Before:** Judge Graciela Gatti Santana, President

**Registrar:** Mr. Abubacarr M. Tambadou

**Date:** 16 June 2025

**IN THE MATTER OF**

**JEAN-PAUL AKAYESU  
AUGUSTIN BIZIMUNGU  
JEAN-BAPTISTE GATETE  
ILDEPHONSE HATEGEKIMANA  
JUVÉNAL KAJELIJELI  
ALFRED MUSEMA  
SIMÉON NCHAMIHIGO**

**GRÉGOIRE NDAHIMANA  
HASSAN NGEZE  
ILDÉPHONSE NIZEYIMANA  
ALOYS NTABAKUZE  
CALLIXTE NZABONIMANA  
LAURENT SEMANZA  
ATHANASE SEROMBA**

***PUBLIC***

**REGISTRAR'S THIRD SUBMISSION ON THE "CONSOLIDATED  
DECISION CONCERNING THE SEIZURE OF ELECTRONIC DEVICES"  
OF 20 JANUARY 2025**

**Counsel for the Applicants:**

Mr. John Philpot for Mr. Jean-Paul Akayesu & Mr. Ildéphonse Nizeyimana  
Mr. Steven Kay and Ms. Gillian Higgins for Mr. Alfred Musema  
Ms. Marie-Hélène Proulx for Mr. Siméon Nchamihigo  
Ms. Sandrine Gaillot for Mr. Aloys Ntabakuze  
Mr. Philippe Larochelle for Mr. Callixte Nzabonimana

**Counsel for the other convicted persons whose devices were seized:**

Mr. Peter Robinson for Mr. Augustin Bizimungu & Mr. Laurent Semanza  
Mr. John Philpot for Mr. Juvénal Kajelijeli  
Mr. Mayombo Kassongo for Mr. Grégoire Ndahimana  
Ms. Mirjana Vukajlović for Mr. Hassan Ngeze  
Ms. Marie-Hélène Proulx for Mr. Jean-Baptiste Gatete

**Mr. Ildephonse Hategekimana  
Mr. Athanase Seromba**

**Government of the Republic of Benin**

## I. INTRODUCTION

1. Pursuant to Rule 31(B) of the Rules of Procedure and Evidence of the International Residual Mechanism for Criminal Tribunals (“Rules” and “Mechanism” respectively), and in compliance with the “Consolidated Decision Concerning the Seizure of Electronic Devices”,<sup>1</sup> I respectfully submit these updates on the implementation of the Consolidated Decision.
2. The Consolidated Decision instructed the Registrar to, *inter alia*, (i) take all reasonable and necessary measures, in coordination with the Beninese authorities, to ensure that the *status quo* of the security and physical integrity of the seized devices is preserved, including the confidentiality of material contained on said devices; (ii) liaise with the Beninese authorities to determine if and under what conditions the Applicants, and other convicted persons whose devices were seized, may be granted access to their respective seized devices that may reasonably be expected to contain documents related to their legal proceedings, in order to facilitate their work on post-conviction matters; (iii) if such access cannot be granted, liaise with the Beninese authorities and take all reasonable and necessary measures to facilitate the release of the seized items to Counsel for the Applicants, or, for individuals unrepresented by Counsel for post-conviction matters, to the Registry; and (iv) facilitate the provision of documents related to the convicted persons’ legal proceedings as requested by the convicted persons.<sup>2</sup>

## II. SUBMISSIONS

3. On 17 February 2025, I filed my first submission on the implementation of the Consolidated Decision, which included information on the Registry’s actions and engagement with the Republic of Benin (“Benin”) on the seizure of electronic equipment from the convicted persons serving their sentences at the Akpro-Misséréte prison under the Mechanism’s supervision (“Convicted Persons” and “Prison”, respectively).<sup>3</sup>
4. On 17 April 2025, I filed a second submission on the implementation of the Consolidated Decision highlighting the efforts of the Registry during and following its annual mission to the Republic of Benin (“Benin”) including discussions with the *Directeur Général* of the *Autorité Pénitentiaire du Bénin* to find a solution to the matter (“Second Submission”).<sup>4</sup>

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<sup>1</sup> *In the matter of Jean-Paul Akayesu et al*, Case No. MICT-25-134 (“*Akayesu et. al.*”), Consolidated Decision Concerning the Seizure of Electronic Devices, 20 January 2025 (“Consolidated Decision”).

<sup>2</sup> Consolidated Decision, page 12.

<sup>3</sup> *Akayesu et. al.*, Registrar’s Submission on the “Consolidated Decision Concerning the Seizure of Electronic Devices” of 20 January 2025, 17 February 2025.

<sup>4</sup> *Akayesu et. al.*, Registrar’s Second Submission on the “Consolidated Decision Concerning the Seizure of Electronic Devices” of 20 January 2025, public, 17 April 2025.

5. Following the agreement of the *Directeur Général* that the Convicted Persons may use computers in a dedicated room to work on their cases on 3 April 2025,<sup>5</sup> the Registry is expediting the procurement process for two computers and a printer for the common use of the Convicted Persons in a dedicated room.
6. On 27 May 2025, the Registry received a correspondence dated 25 May 2025 from Mr. Aloys Ntabakuze, requesting the Registry to provide him with his case files so that he may continue to work on post-conviction matters. He further emphasised the significant difficulty he is encountering due to his inability to work meaningfully on his case without access to his computer and requested the Registry to convince the Beninese authorities to allow him access to his computer to carry out specific work related to his case. The Registry is currently exploring options to send the requested case files.
7. On 30 May 2025, the Registry received a correspondence dated 20 May 2025 from Messrs. Siméon Nchamihigo, Ildephonse Nizeyimana, Callixte Nzabonimana, Ildephonse Hategekimana, Aloys Ntabakuze, Augustin Bizimungu, Laurent Semanza, Athanase Seromba, Grégoire Ndahimana, Jean-Paul Akayesu, Juvénal Kajelijeli, and Alfred Musema conveying their observations on the Second Submission. In their letters, the Convicted Persons informed the Registrar that they are still waiting for a solution and made the following observations regarding the position of the *Directeur Général*: (i) requesting to at least receive the seized USB keys and external drives; (ii) requesting to be provided access to their seized computers; (iii) stating that any manipulation of the seized computers should be done by their owners only, highlighting that having family members traveling to the Republic of Benin to retrieve the needed data from the seized computers would be onerous; (iv) indicating that the provision of land computers should not be seen as a solution to the matter and only a response to a longstanding request; (v) flagging the voluminous aspect of the data which renders difficult the transfer of data by someone other than the owner of the seized material. The Convicted Persons concluded their correspondence by requesting the Registrar to engage with the Beninese authorities about the matter at the highest level.
8. On 4 and 5 June 2025, the Registry contacted the *Directeur Général* via text messages and telephone calls respectively without response.
9. On 6 June 2025, the Registry made further attempts to contact the *Directeur Général* without success. On 10 June 2025, the Registry sent an email to the *Directeur Général* regarding the return of the seized USB keys and external drives to the Convicted Persons to enable them to extract the necessary data themselves from the seized laptops. On 11 and 12 June 2025, the Registry followed up on its email with the *Directeur Général* via text message and telephone call without response.

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<sup>5</sup> See Second Submission, para. 15.

### III. CONCLUSION

10. The Registry will continue to engage the penitentiary administration and Prison authorities in Benin to find a workable solution to the issues regarding the seizure of the electronic items in accordance with the Consolidated Decision.

Respectfully submitted,



Abubacarr M. Tambadou

Registrar

Done this 16<sup>th</sup> day of June 2025

At Arusha,

Tanzania.



TRANSMISSION SHEET FOR FILING OF DOCUMENTS / FICHE DE TRANSMISSION POUR LE DÉPÔT DE DOCUMENTS

**I - FILING INFORMATION / INFORMATIONS GÉNÉRALES**

<b>To/ À :</b>	IRMCT Registry/ Greffe du MIFRTP		<input type="checkbox"/> Arusha/ Arusha	<input type="checkbox"/> The Hague/ La Haye
<b>From/ De :</b>	<input type="checkbox"/> President/ Président	<input type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Prosecution/ Bureau du Procureur	<input type="checkbox"/> Defence/ Défense
			<input checked="" type="checkbox"/> Registrar/ Greffier	<input type="checkbox"/> Other/ Autre
<b>Case Name/ Affaire :</b>	In the Matter of Jean-Paul Akayest <i>et al.</i>		<b>Case Number/ Affaire n° :</b> MICT-25-134	
<b>Date Created/ Daté du :</b>	16 June 2025	<b>Date transmitted/ Transmis le :</b>	16 June 2025	<b>Number of Pages/ Nombre de pages :</b> 4
<b>Original Language/ Langue de l'original :</b>	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda	<input type="checkbox"/> B/C/S
	<input type="checkbox"/> Other/Autre (specify/ préciser):			
<b>Title of Document/ Titre du document :</b>	REGISTRAR'S THIRD SUBMISSION ON THE "CONSOLIDATED DECISION CONCERNING THE SEIZURE OF ELECTRONIC DEVICES" OF 20 JANUARY 2025			
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