

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No: MICT-12-22

Date: 9 April 2025

Original: English

BEFORE THE PRESIDENT

Before: Judge Graciela Gatti Santana, President

Registrar: Mr. Abubacarr M. Tambaou

PROSECUTOR

v.

RYANDIKAYO

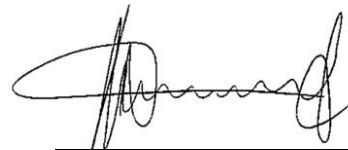
PUBLIC with CONFIDENTIAL ANNEX A

MOTION TO TERMINATE PROCEEDINGS

The Office of the Prosecutor:
Mr. Serge Brammertz

1. The Prosecutor requests the proceedings in the case against Ryandikayo be formally terminated on account of his death.
2. The Prosecution's investigation, which includes consistent testimony of multiple witnesses regarding Ryandikayo's flight from Rwanda in 1994, his subsequent presence in both the Republic of Congo ("Congo-Brazzaville") and the Democratic Republic of Congo ("DRC"), provides sufficient information to establish that Ryandikayo is deceased.¹ Evidence in the Prosecution's possession demonstrates that, after leaving Rwanda for the DRC in mid-1994, Ryandikayo fled to Congo-Brazzaville in or around May 1997, before traveling to Kinshasa in late 1998 to undergo military training. There, he became critically ill and died in late 1998.
3. Although the *Ryandikayo* case was referred to the Republic of Rwanda,² the referral of a case to a national jurisdiction does not fully divest the Mechanism of jurisdiction.³ Therefore, notwithstanding any possible termination of the case in Rwanda, the Prosecution seeks a judicial order terminating the proceedings before the Mechanism.

Word count, including annex: 1433



Serge Brammertz
Prosecutor

Dated this 9th day of April 2025
At The Hague, The Netherlands

¹ See Annex A (confidential).

² See *Prosecutor v. Ryandikayo*, Case No. ICTR-95-1E-R11bis, Decision on the Prosecutor's Request for Referral of the Case to the Republic of Rwanda, 20 June 2012.

³ See *Prosecutor v. Phénéas Munyarugarama*, Case No. MICT-12-09, Decision on Motion to Terminate Proceedings, 16 December 2022, pp.2-3; *Prosecutor v. Aloys Ndimbati*, Case No. MICT-12-14, Decision on Motion to Terminate Proceedings, 19 March 2024, pp.1-2.



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