MICT-12-23-R14.1 D332-D309

28 November 2025 SF

332

Case No: MICT-12-23-R14.1

Date:

28 November 2025

Original: English

IN THE TRIAL CHAMBER

Before:

Judge Vagn Joensen, Presiding

Judge Claudia Hoefer

Judge Fatimata Sanou Touré

Registrar:

Mr Abubacarr M. Tambadou

THE PROSECUTOR

 \mathbf{V}_{\bullet}

FULGENCE KAYISHEMA

PUBLIC

SUBMISSIONS PURSUANT TO "DECISION ON FULGENCE KAYISHEMA'S REQUESTS FOR REVOCATION OF REFERRAL AND ASSIGNMENT OF COUNSEL"

Government of the Republic of South Africa

The Office of the Prosecutor

Mr. Serge Brammertz

Ms. Laurel Baig

Counsel for Fulgence Kayishema

Mr. Philippe Larouchelle

Ms. Kate Gibson

A. Introduction

- 1. In the *Decision on Fulgence Kayishema's Requests for Revocation of Referral and Assignment of Counsel*, dated 29 October 2025 ("Decision"), the Trial Chamber invited "the Government of South Africa to file submissions, if any, within 21 days of the receipt of the present Decision and relevant documents, in relation to Ground 1 of the Revocation Request and information provided in the Kayishema *Ex Parte* Filing of 11 January 2025, the Prosecution's Response, and the South African Prosecutor Affidavit".
- 2. On 10 November 2025, the South African High Commission in Dar es Salaam, Tanzania received the Decision.

B. Submissions

- 3. On 9 October 2025, the Prosecution filed the "Prosecution Request for Leave and Supplemental Response to Kayishema Request for Revocation of Referral to the Republic of Rwanda" and included an Annex containing the Applicant's Replying Affidavit, deposed to by Mr Tommy Aron Bunguzana, as well as a Confirmatory Affidavit, deposed to by Mr Timothy Moyana.
- 4. The Government of the Republic of South Africa submits as annexes to this submission, the aforementioned Applicant's Replying Affidavit (Annex A) as well as the Confirmatory Affidavit (Annex B), whereby Mr Moyana confirms the paragraphs relating to him in the Applicant's Replying Affidavit. It is requested that the Trial Chamber duly consider Annexes A and B.
- 5. Mr Bunguzana is a Deputy Director of Public Prosecutions and the lead Prosecutor in the case concerning Mr Kayishema before South African courts. Mr Moyana is a Brigadier in the Western Cape Crime Intelligence component of the South African Police Services and Acting Provincial Head of Crime Intelligence for the Western Cape.
- 6. Mr Bunguzana details the events that transpired in relation to the alleged threat against Mr Kayishema's life in his Affidavit.² Following information that there was a threat posed to the life of Mr Kayishema, efforts were made to secure his safekeeping, including through moving him to another facility, in order to investigate and verify the threat.³ It subsequently transpired that the threat was unsubstantiated and originated from a rogue source.⁴ Accordingly, Mr Kayishema was once again held under the normal terms of his incarceration.⁵ Importantly,

¹ MICT-12-23-R14.1, 9 October 2025

² Annex A, paragraphs 24 to 40

³ Annex A, paragraphs 27 to 34

⁴ Annex A, paragraph 38

⁵ Annex A, paragraph 40

it was concluded that it was highly unlikely that the Government of Rwanda was involved in the alleged threat. 6

7. The measures taken by the prison authorities once they became aware of the alleged threat accord with section 35 of the Constitution of the Republic of South Africa as well as with the Correctional Services Act 111 of 1998, and its Regulations, which seek to ensure the custody of all inmates under conditions of human dignity.

Word Count: 457

Government of the

Republic of South Africa

Dated this 28th day of November 2025 At Pretoria, South Africa

⁶ Annex A, paragraph 36

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THE PROSECUTOR

 \mathbf{v}_{\cdot}

FULGENCE KAYISHEMA

PUBLIC

ANNEX A

Government of the Republic of South Africa

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Counsel for Fulgence Kayishema

Mr. Philippe Larouchelle

Ms. Kate Gibson

Annex A

1

IN THE HIGH COURT OF SOUTH AFRICA WESTERN CAPE DIVISION, CAPE TOWN

Case No: 13085/2023

THE DIRECTOR OF PUBLIC PROSECUTIONS: WESTERN CAPE

Applicant

and

FULGENCE UKHILO KAYISHEMA

Respondent

IN RE: APPLICATION FOR TRANSFER OF FULGENCE KAYISHEMA TO THE UNITED NATIONS INTERNATIONAL RESIDUAL MECHANISM FOR CRIMINAL TRIBUNALS

APPLICANT'S REPLYING AFFIDAVIT

I, the undersigned

TOMMY ARON BUNGUZANA

do hereby make oath and say that:

A. INTRODUCTION

 I am a Deputy Director of Public Prosecutions for the Western Cape with my offices at Buitengracht Street Cape Town. I am the member of the applicant's staff to whom this matter has been allocated.



2. The facts deposed to in this affidavit are within my own knowledge, save where the contrary is stated or the context indicates otherwise, and are true and correct. Where I rely on information relayed to me by others, I believe such advice to be true and correct.

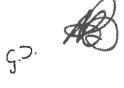
INTRODUCTION

- On or about 11 June 2025, the Respondent ("Kayishema") instituted an application seeking to postpone this matter. The Applicant ("the DPP") agreed to the requested postponement.
- 4. The postponement application was underpinned by an affidavit deposed to by one Corinne Louise Petersen, an attorney at Abrahams & Gross, being Mr Kayishema's attorneys of record.
- 5. There are certain allegations raised in the founding affidavit to the postponement application which have a bearing on the main application and which are, regrettably, inaccurate and do not provide a full picture of the facts.
- 6. In this regard, this affidavit will address the following:
 - 6.1. First, the current status of the proceedings before the Mechanism; and
 - 6.2. Second, the alleged assassination attempt by Rwandan agents;
 - 6.3. Third, I respond ad seriatim as necessary.



THE CURRENT STATUS OF THE MATTER BEFORE THE MECHANISM

- 7. Ms Petersen, the deponent to the founding affidavit in the postponement application, contends that that Kayishema is represented not only by a South African team, but also an international legal team led by a Mr Larochelle and Ms Gibson, who are instructed by the family of Mr Kayishema.
- 8. In support of postponement of the matter, Ms Petersen sketches the various delays that arose in the international team preparing a revocation application.
- 9. The purpose of the revocation application appears to be to request that the Mechanism revokes its initial finding that the matter proceed in Rwanda, as opposed to Arusha, in Tanzania, before the Mechanism itself.
- 10. In this regard, the following context must be borne in mind:
 - 10.1. This matter had originally been set down for hearing on 16 August 2024;
 - 10.2. On 23 July 2024, an order by agreement between the parties was handed down by Justice Henney, which order addressed the further conduct of the matter and, postponed the matter to 28 November 2024;
 - 10.3. On 3 September 2024 the DPP filed a replying affidavit;



- 10.4. In and during October 2024, the parties discussed a further postponement in light of the intention of Mr Kayishema's application to institute a revocation / reconsideration application before the Mechanism.
- 10.5. An order postponing the matter to 30 July 2025 was granted on 23 October 2024;
- 10.6. The order as aforesaid also stipulated, inter alia, that the revocation application would be filed by 28 February 2025.
- 11. The revocation application was not instituted on 28 February 2025 which necessitated the present postponement application inasmuch as the matter was, at that stage, set down for 30 July 2025.
- 12. The postponement application was instituted on 10 June 2025.
- 13. The postponement was agreed to, and a further order was taken by agreement on 29 July 2025, which order postpones the hearing of the application to 26 March 2025. This affidavit is filed in terms of that order.

THE STATUS OF PROCEEDINGS BEFORE THE MECHANISM

- 14. The basis of the postponement application was, in essence, that there were unforeseen delays in the institution of the revocation application before the Mechanism by the international team.
- 15. At paragraph 32 of the founding affidavit, Ms Petersen contends that a revocation request was filed on 5 June 2025 before the mechanism,

- 16. This, however, is not entirely accurate.
- 17. First, rather than filing such a request on 5 June 2025, Kayishema filed a motion before the Mechanism President (Annexure PL7 to the postponement application) asking her to assign a Trial Chamber.
- According to Kayishema, this Trial Chamber should—on the basis of "Skeleton Grounds" that appear to be an outline of what he allegedly intends to argue in a future revocation motion—order the Registrar to "assign" him counsel "in the interests of justice". This assigned counsel would then substantiate the "Skeleton Grounds" in a future revocation motion. Kayishema expressly stated in his motion that it did "not constitute a Revocation Request".
- 19. Moreover, none of the remedies Kayishema requested involve the Trial Chamber—if assigned—making a determination on the issue of revocation.
- 20. It appears from the founding affidavit that the strategy of Mr Kayishema was to file a "limited" revocation request (founding affidavit, paragraph 27). According to his international team, once he filed his revocation request (although it is unclear whether or not this means a full revocation request or a 'limited' revocation request) he was more likely to receive legal aid from the Mechanism (founding affidavit paragraph 28).
- It would appear to me that, as a matter of legal principle, it would be unlikely for a court to grant legal aid to someone who has not submitted to their jurisdiction. Effectively, what Mr Kayishema seeks to do, is to seek a revocation from the Mechanism while in South Africa, as opposed to submitting to being transferred to the Mechanism so that it may then appropriately deal with his revocation application.



- 22. If a party is not actually before a Court, because of a strategy that they have adopted, it would seem to be absurd to prevail upon that very Court to allow for funds to be made available to a defence team for a person who has, to date, obdurately refused to appear before the Mechanism, and who, in these proceedings, in fact, opposes his transfer to the Mechanism.
- 23. In any event, Mr Kayishema's full revocation request was filed on 26 August 2025.
 Consequently, it is inaccurate for Ms Petersen to have contended that the revocation request was filed on 5 June 2025, when it was, in fact, filed on 26 August 2025.

THERE IS NO THREAT OF ASSASSINATION

- 24. Mr Kayishema, in his affidavit attached to the postponement application, contends that he was told, on or about 10 September 2024, that there was a credible threat against his life by the Government of Rwanda, and that he would be transferred to a different prison under a different name and registration number.
- 25. In addressing this, I requested that Western Cape Crime Intelligence of the South African Police Services, furnish me with an update. I received an update from Brigadier Timothy Moyana who is the Acting Provincial Head of Crime Intelligence whose confirmatory affidavit is filed herewith.
- I set out below, the information conveyed to me by Mr Moyana. For obvious reasons, I was not given names of unregistered sources, contacts, handlers and so forth, and even if I were, it would not be appropriate to render these sources a matter of public record.



- 27. On 30 August 2024 Crime Intelligence received information concerning an alleged threat against Mr Kayishema and another former Rwandan national residing in the Western Cape.
- 28. The information originated from an unregistered contact who reported it to a handler on 27 August 2024. I cannot provide the names of the unregistered contact and handler.
- 29. On 30 August 2024, the same day the information was reported, a manager at Correctional Services was informed by Crime Intelligence about the threat.
- 30. Feedback was later received that Correctional Services had put measures in place to mitigate any potential threats against Kayishema. Notably, no member of Crime Intelligence Western Cape had direct contact with Mr Kayishema.
- As a precautionary measure, the other former Rwandan national also mentioned in the threat, was informed of the alleged threat on 3 September 2024. This was done in accordance with standard procedure for handling threats of this nature.
- 32. The relevant Crime Intelligence capacities were informed about the alleged threat and requested to activate all relevant assets to determine whether or not the threat was credible.
- 33. Simultaneously, the Crime Intelligence Genocide Team, comprising collectors and analysts involved in tracing and arresting Mr Kayishema, was informed and they also activated all their assets.
- 34. Contact was established with sister intelligence capacities, being the State Security Agency and Counter-Intelligence: Military to alert them and request activation of their



asset capacities. These measures were taken to maximize information collection and verify the alleged threat.

- 35. After initial evaluation of the information gathered by various teams, the Crime Intelligence Genocide Team indicated that the information did not appear trustworthy or true based on analysis of the data received from the unregistered source.
- 36. The first verbal report to Crime Intelligence Management noted that it was highly unlikely that the Rwandan Government would be involved in such a plot.
- 37. This initial assessment that the assassination attempt was highly unlikely, was proven correct, as no further information on any assassination plot could be substantiated after sources were debriefed.
- 38. The analytical capacity deduced that the information originated from a rogue source and was without substance. I am advised that it is the strong suspicion of Crime Intelligence that the threat was likely orchestrated by individuals with an ulterior motive.
- 39. The sum of the foregoing is as follows:
 - 39.1. A threat was received from a source about a possible assassination attempt;
 - 39.2. In accordance with standard procedure, steps were taken to protect Mr Kayishema, while the treat was assessed;
 - 39.3. The threat was assessed and determined to be highly unlikely.



40. As a consequence, Mr Kayishema is now again being held under the normal terms of his incarceration.

THE QUESTION OF WHERE THE KAYISHEMA MUST BE SENT

- Mr Kayishema contends, in support of his postponement, that it is of critical importance to understand where he is to be sent. This, however, is aimed at confusing the issue:
 - 41.1. First, he contends before this Court that it is not possible to transfer him to the Mechanism because it is unclear what legal basis exists to do so. He does, however, concede that he will stand trial at the Mechanism if the Mechanism resolves to try him in Arusha and not in Rwanda;
 - 41.2. Second, he takes the position that because the Mechanism has seemingly made a decision to transfer him to Rwanda, if he is transferred to the Mechanism his subsequent transfer to Rwanda is all but assured. He objects to this transfer because he contends that, in effect, this Court is transferring him to Rwanda (in all but substance);
 - 41.3 As indicated by the Mechanism and as conveyed in our replying affidavit, the initial decision by the Mechanism was subject to reconsideration;
 - 41.4. On this basis, Mr Kayishema seeks such a revocation, but he seeks to do so in circumstances where he still remains in South Africa and refuses to be transferred to the Mechanism;



- 41.5. Effectively, Mr Kayishema wants the Mechanism to determine its revocation first and only then will be decide whether or not to consent to be transferred to the Mechanism,
- 41.6. No doubt, if the Mechanism declines to revoke its initial decision, Mr Kayishema will persist with his assertion that he cannot be transferred to the Mechanism because, in substance, it means that he will be transferred to Rwanda;
- 41.7. Mr Kayishema contends that he will not receive a fair trial in Rwanda;
- 41.8. Mr Kayishema's position means that either the Mechanism (or possibly South Africa exercising its own jurisdiction) must try him for genocide.
- 41.9. If the Mechanism declines the revocation request, it means that the Mechanism would, consequently, have refused to conduct the trial. Instead it will have made a determination that the trial must be held in Rwanda. (I do point out that even if the trial were to happen in Rwanda, the Mechanism would still have overarching oversight of the trial, and if Mr Kayishema's rights were being infringed upon, he could approach the Mechanism for appropriate relief).
- 41.10. If the Mechanism declines the revocation request, it would mean that Mr Kayishema will either need to be tried before a Rwandan Court, or before a South African Court.
- While there would be no substantive legal impediment to a South African Court trying Mr Kayishema there are:

- 41.11.1. significant international relations implications because South Africa would (a) be contravening its international obligations vis a vis the Mechanism and (b) be usurping the role of the Rwandan Courts assuming the Mechanism decides not to grant the revocation request; and
- 41.11.2. significant practical implications, because while a South African Court is no doubt competent to deal with allegations of genocide, it is unclear what powers the Court could exercise to compel Rwandan witnesses to testify in support of the case it would have to advance. It would be unrealistic to contemplate that all necessary witnesses would be amenable to testifying in South Africa without compulsion to do so. If this eventuality were to occur, the potential result is that a South African prosecution would be unable to prove its case, effectively resulting in Mr Kayishema avoiding justice due to these practical constraints.
- 42. As matters presently stand, what is before this Court is an application requesting that Mr Kayishema be transferred to the Mechanism.
- 43. The nub of the dispute, in truth, is whether or not this Court possesses the power to order such a transfer in circumstances where it is not, in law, an extradition as the transfer is not to another country but to an international Mechanism.
- The question for this Court to determine is, in the first instance, whether (a) it has the power to order a transfer to the Mechanism (we contend that it does); and (b) whether Mr Kayishema's revocation request will be dealt with fairly by the Mechanism. Put



differently, this Court must determine whether or not it is satisfied that the Mechanism will properly determine if Mr Kayishema will receive a fair trial in Rwanda.

- 45. This Court is not called upon to determine whether Mr Kayishema will receive a fair trial in Rwanda, this is for the Mechanism to determine in light of Mr Kayishema's revocation application.
- 46. This is the election that Mr Kayishema made. He has instituted a revocation application before the Mechanism and the outcome is awaited. He will no doubt present his evidence to the Mechanism as to why he ought not to be sent to Rwanda. It does not behove him to contend that he will only accept the determination if it goes his way.
- 47. At this stage, therefore, absent a final determination on the revocation, the question that this Court must satisfy itself of is (a) whether or not it has the power to transfer Mr Kayishema to the Mechanism and (b) whether this Court is satisfied that Mr Kayishema will receive a fair hearing before the Mechanism on the question of whether or not he ought to stand trial in Rwanda.

Ad seriatim

Ad the affidavit of Corinne Petersen

Ad paras 1 to 3

48. Save to deny that all the allegations are true and correct, the contents hereof are uncontentious.

Ad paragraph 4



49. Save to reiterate that the suggested assassination attempt was examined and found to be unfounded, the contents hereof are noted, subject to what I have indicated above.

Ad paragraph 5

50. The contents hereof are noted.

Ad paragraph 6 to 13

51. The contents hereof are noted.

Ad paragraph 13 to 14

52. The contents hereof are uncontentious.

Ad paragraph 15

- 53. It is telling that Mr Mutabazi is no longer assisting Mr Kayishema, particularly, after the lack of independence of his so-called "expert" evidence was pointed out in the replying affidavit.
- 54. It is similarly telling the seeming reason for this withdrawal is not an acceptance of his lack of independence but a speculative allusion to unverified threats of a non-specific nature against Mutabazi in an effort to extricate him from this matter.
- Given Mutabazi's alleged "expert" opinions concerning Rwanda, it is unclear why he was previously prepared to provide evidence (because he would, presumably, have been aware of the alleged risks to lawyers at that stage) but now alters his position after his lack of independence has been demonstrated in the papers filed of record.

9.13

Ad paragraph 16

56. The contents hereof are noted.

Ad paragraph 17

57. It is unclear to me what is meant by "world class" lawyers, in any event the contents hereof are uncontentious.

Ad paragraph 18 to 22

58. The contents hereof are noted.

Ad paragraphs 23 to 42, excluding paragraph 26.9 to 26.12.

59. Subject to what I have set out above concerning the date that the full revocation request was filed, I take no issue with this.

Paragraph 26.9 and 26.10

60. The contents hereof are admitted.

Paragraph 26.11

The contents hereof are admitted. It was the first time for DCS to encounter this type of request and direction was sought from the Regional office.

Paragraph 26.12



62. The contents hereof are admitted. International calls cannot be monitored. Mr Kayishema would communicate in a foreign language and there is no guarantee or way of knowing that the person to whom Mr Kayishema would talk to, indeed, be a legal representative.

Ad Paragraphs 43 to 48

- 63. The contents hereof relate to the need to secure expert evidence and it being a basis for postponement. I take no issue with the postponement.
- 64. I do, however, reiterate that Mutabazi's evidence was (a) speculative, and (b) his impartiality is significantly in question.

Ad paragraph 49 to 56

65. I have addressed the suggestion of an alleged assassination attempt above.

Ad paragraph 57 to 61

66. I have addressed the contents hereof above.

Ad paragraph 62

67. As indicated, the postponement application was not objected to.

Ad the affidavit of Phillip Larochelle



- 68. I cannot address the procedural steps taken by Mr Larochelle as I have no knowledge of what steps Mr Larochelle took, save to reiterate that the final revocation application was only submitted on 26 August 2025.
- 69. I can, however, address paragraphs 59 to 63, and do so below.

Ad paragraphs 59 to 63

Ad paragraph 59

70. I deny that is an evasion. The contents in the replying affidavit are uncontroverted given that Mr Kayishema has now sought to revoke the decision of the Mechanism and that a decision is awaited.

Ad paragraphs 60

71. The contents hereof are noted.

Ad paragraphs 61

- 72. In as much as it may appear necessary to await the outcome of the application for revocation of the decision to transfer the Respondent to Rwanda, it is of note that Mr Kayishema has previously indicated his unwillingness to return to Arusha on the basis of speculative fears that Rwanda may target him. In this regard, he indicated a preference to be transferred to the Mechanism in the Hague.
- 73. Mr Kayishema now seems to suggest that he has no issue with being transferred to Arusha should the Mechanism elect to revoke its decision that he stand trial in Rwanda.

74. It appears that Mr Kayishema has no qualms in inconsistently and opportunistically opposing his transfer citing forum preferences on nothing more than speculation, which have the ultimate result of delaying the hearing of the matter.

Ad the affidavit of Mr Kayishema

Ad paragraphs 1 and 2

75. Save to deny that all the allegations are true and correct, the contents hereof are uncontentious.

Ad paragraphs 3 to 5

The contents hereof are admitted.

Ad paragraph 6 to 10

- 77. I have addressed the alleged assassination attempt above, and have indicated that the threat was investigated and was found not to be credible.
- 78. The steps taken to protect Mr Kayishema were precautionary measures which were sensibly taken in the circumstances while the threat was being investigated.

TOMMY ARON BUNGUZANA

Thus signed and sworn to before me at Total on this 24th day of 2025 the Deponent having acknowledged that she knows and understands the contents of this affidavit, that same are all true and correct, that she has no objection to taking the prescribed oath, and that she considers the prescribed oath to be binding on her conscience

COMMISSIONI: R OF OATHS

SUID-AFRIMAANSE POLISIEDIENS COMMUNITY SERVICE CENTRE

2025 -69-24

COMMUNITY SERVICE CENTRE
TABLE VIEW

30

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FULGENCE KAYISHEMA

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ANNEX B

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Annex B

IN THE HIGH COURT OF SOUTH AFRICA WESTERN CAPE DIVISION, CAPE TOWN

Case No: 13085/2023

THE DIRECTOR OF PUBLIC PROSECUTIONS: WESTERN CAPE

Applicant

and

FULGENCE UKHILO KAYISHEMA

Respondent

IN RE: APPLICATION FOR TRANSFER OF FULGENCE KAYISHEMA TO THE UNITED NATIONS INTERNATIONAL RESIDUAL MECHANISM FOR CRIMINAL TRIBUNALS

CONFIRMATORY AFFIDAVIT

I, the undersigned

TIMOTHY MOYANA

do hereby make oath and say that:

 I am a Brigadier in the Western Cape Crime Intelligence component of the South African Police Services. I am also the Acting Provincial Head of Crime Intelligence for the Western Cape.

T.M GO

- The facts deposed to in this affidavit are within my own knowledge, save where the contrary is stated or the context indicates otherwise, and are true and correct.
- 3. I have read the affidavit of Tommy Aron Bunguzana and confirm the contents thereof insofar as it relates to me, in particular paragraphs 24 to 40, and the relevant paragraphs in the ad seriatim.

TIMOTHY MOYANA

Thus signed and sworn to before me at 7000 on this 244 day of Septime 2025 the Deponent having acknowledged that she knows and understands the contents of this affidavit, that same are all true and correct, that she has no objection to taking the prescribed oath, and that she considers the prescribed oath to be binding on her conscience

COMMISSIONER OF OATHS

SUID-AFRIKARIISE POLISIEDIENS
COMMUNITORIO CENTRE

2023 -(19- 2 /
COMMUNITY CENTRE
TABLE VIEW

IRMCT • MIFRTP

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

I - FILING INFORMATION / INFORMATIONS GÉNÉRALES To/\dot{A} : IRMCT Registry/ Greffe du MIFRTP Arusha/ Arusha ___ The Hague/ La Haye Other/ | President/ Chambers/ Prosecution/ Defence/ | Registrar/ From/ De: Président Chambre Bureau du Procureur Défense Greffier Autre Case Name/ Affaire: PROSECUTOR V FULGENCE KAYISHEMA Case Number/ Affaire no: MICT-12-23-R14.1 Date Created/ Date transmitted/ Number of Pages/ **28 NOVEMBER 2025 28 NOVEMBER 2025** 24 Daté du : Transmis le : Nombre de pages : English/ French/ Original Language/ Other/Autre (specify/ préciser): Kinyarwanda B/C/S Langue de l'original : Anglais Français Title of Document/ SUBMISSIONS PURSUANT TO "DECISION ON FULGENCE KAYISHEMA'S REQUESTS FOR REVOCATION Titre du document : OF REFERRAL AND ASSIGNMENT OF COUNSEL" Ex Parte Defence excluded/ Défense exclue Nublic/ Ex Parte Prosecution excluded/ Bureau du Procureur exclu Classification Level/ Document public Ex Parte Rule 86 applicant excluded/ Article 86 requérant exclu Catégories de Ex Parte Amicus Curiae excluded/ Amicus curiae exclu classification: Confidential/ Confidentiel Ex Parte other exclusion/ autre(s) partie(s) exclue(s) (specify/ préciser) : Document type/ Type de document : ☐ Judgement/ Jugement/Arrêt Motion/ Requête Book of Authorities/ Warrant/ Decision/ Décision Submission from parties/ Recueil de sources Mandat Order/ Ordonnance Écritures déposées par des parties Affidavit/ ■ Notice of Appeal/ Submission from non-parties/ Déclaration sous serment Acte d'appel Indictment/ Acte d'accusation Écritures déposées par des tiers II - TRANSLATION STATUS ON THE FILING DATE/ ÉTAT DE LA TRADUCTION AU JOUR DU DÉPÔT Translation not required/ La traduction n'est pas requise Filing Party hereby submits only the original, and requests the Registry to translate La partie déposante ne soumet que l'original et sollicite que le Greffe prenne en charge la traduction : (Word version of the document is attached/ La version Word du document est jointe) English/ Anglais French/ Français ☐ B/C/S Under of the order Filing Party hereby submits both the original and the translated version for filing, as follows/ La partie déposante soumet l'original et la version traduite aux fins de dépôt, comme suit : B/C/S English/ French/ Kinyarwanda Other/Autre (specify/ préciser): Original/ Original en : Anglais Français Traduction/ English/ French/ ☐ Kinyarwanda B/C/S Other/Autre (specify/ préciser): Traduction en: **Anglais** Français Filing Party will be submitting the translated version(s) in due course in the following language(s)/ La partie déposante soumettra la (les) version(s) traduite(s) sous peu, dans la (les) langue(s) suivante(s):

Kinyarwanda

B/C/S

Other/Autre (specify/préciser):

French/ Français

English/ Anglais