

**UNITED  
NATIONS**



International Residual Mechanism  
for Criminal Tribunals

Case No.: MICT-13-38-T

Date: 11 April 2025

Original: English

---

**IN THE TRIAL CHAMBER**

**Before:** Judge Iain Bonomy, Presiding  
Judge Mustapha El Baaj  
Judge Margaret M. deGuzman

**Registrar:** Mr. Abubacarr M. Tambaou

**Order of:** 11 April 2025

**PROSECUTOR**

**v.**

**FÉLICIEN KABUGA**

***PUBLIC***

---

**ORDER SCHEDULING A STATUS CONFERENCE**

---

**Office of the Prosecutor:**

Mr. Serge Brammertz  
Mr. Rashid S. Rashid  
Mr. Rupert Elderkin

**Counsel for Mr. Félicien Kabuga:**

Mr. Emmanuel Altit

**THE TRIAL CHAMBER** of the International Residual Mechanism for Criminal Tribunals (“Trial Chamber” and “Mechanism”, respectively) seised of this case;<sup>1</sup>

**RECALLING** that the proceedings against Mr. Félicien Kabuga were indefinitely stayed in September 2023 following the affirmation of the Trial Chamber’s decision that Mr. Kabuga was not fit to stand trial and very unlikely to regain fitness;<sup>2</sup>

**RECALLING** that, pending the resolution of the issue of his liberation on provisional release, Mr. Kabuga has remained in detention at the United Nations Detention Unit with a medical monitoring regime, in accordance with Rules 59, 67, and 68(A) of the Rules of Procedure and Evidence (“Rules”), and that the Trial Chamber ordered that status conferences continue to be held every 120 days;<sup>3</sup>

**RECALLING** that, on 17 December 2024, the Trial Chamber amended the Defence reporting regime and ordered the Defence to file reports regarding the progress it has made in identifying an appropriate State of provisional release for Mr. Kabuga as soon as possible should there be any material developments;<sup>4</sup>

**RECALLING** that status conferences were held on 13 December 2023, 26 March 2024, 24 July 2024, and 11 December 2024;<sup>5</sup>

**RECALLING** that on, 18 January 2024, 29 February 2024, and 27 May 2024, the Trial Chamber issued confidential orders and decisions in relation to Mr. Kabuga’s requests addressed to different States to accept him onto their territory as a provisionally released accused;<sup>6</sup>

---

<sup>1</sup> See Order on Composition of Trial Chamber, 15 August 2023, p. 2. See also Order Assigning a Trial Chamber, 1 October 2020, p. 1; Order Replacing a Judge and Assigning a Reserve Judge, 26 August 2022, pp. 1, 2; Decision Under Rule 19(E), 10 January 2023, p. 1; Order Assigning a Reserve Judge, 16 January 2023, pp. 1, 2.

<sup>2</sup> Decision Imposing an Indefinite Stay of Proceedings, 8 September 2023 (“Decision of 8 September 2023”), pp. 2, 5. See also generally Further Decision on Félicien Kabuga’s Fitness to Stand Trial, 6 June 2023; *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.

<sup>3</sup> See Decision of 8 September 2023, pp. 2, 5. While the next status conference should be held around 9 April 2025, the parties have agreed that it may take place in the beginning of May. The consultation with the parties took place by email through the Trial Chamber’s Senior Legal Officer on 2 April 2025.

<sup>4</sup> Order Amending the Progress Reporting Regime in Relation to Provisional Release, 17 December 2024, pp. 1, 2 (“Order of 17 December 2024”). The Defence previously submitted reports every two weeks updating the Trial Chamber on its progress in identifying a State of provisional release for Mr. Kabuga. See Thirty-First Progress Report in Relation to the Provisional Release of Félicien Kabuga Pursuant to the Trial Chamber’s Order of 25 September 2023, 11 December 2024 (original French version filed on 9 December 2024; confidential) (“Progress Report of 9 December 2024”). See also Order for Progress Reports in Relation to Provisional Release, 25 September 2023, pp. 1, 2.

<sup>5</sup> Transcript (“T.”) 13 December 2023; T. 26 March 2024; T. 24 July 2024; T. 11 December 2024. See also Order Scheduling a Status Conference, 8 November 2023, p. 2; Order Scheduling a Status Conference, 7 March 2024, p. 2; Order Scheduling a Status Conference, 5 June 2024, p. 2; Order Scheduling a Status Conference, 23 October 2024, p. 2.

**RECALLING** that joint monitoring reports from the panel of court-appointed independent medical experts (“Experts”) were filed confidentially on 23 August 2024 and on 18 February 2025, in which the Experts agree that Mr. Kabuga remains unfit to plead or to stand trial, as well as medically unfit to travel;<sup>7</sup>

**RECALLING** that, on 16 December 2024, the Trial Chamber issued a confidential order, in which it instructed the Registrar to appoint a further independent medical expert to file a written report that addresses any risks to Mr. Kabuga’s physical and mental health associated with transporting him by air,<sup>8</sup> and that the Registrar appointed this expert on 29 January 2025;<sup>9</sup>

**RECALLING** that the Trial Chamber anticipates that the confidential expert report regarding Mr. Kabuga’s fitness to fly will be filed no later than Tuesday, 22 April 2025;<sup>10</sup>

**RECALLING FURTHER** that, as yet, no State which Mr. Kabuga has identified as one where he wishes to go has agreed to accept him,<sup>11</sup> and that, following the Order of 17 December 2024, the Trial Chamber has not received any update from the Defence regarding the progress it has made in identifying a State of provisional release for Mr. Kabuga;

**CONSIDERING** that, in its expeditious consideration of the issue of Mr. Kabuga’s release, the Trial Chamber would benefit from hearing the parties on any issues normally addressed during a status conference held pursuant to Rule 69(A) of the Rules, as well as on any matter in relation to Mr. Kabuga’s prospective provisional release;

---

<sup>6</sup> See Order for Submissions, 18 January 2024 (confidential), pp. 1-3; Decision on Defence Request for an Article 28 Order for Provisional Release, 29 February 2024 (confidential; public redacted version issued on 3 June 2024), pp. 1-6; Decision on Defence Request for Assistance, 27 May 2024 (confidential), pp. 1-3

<sup>7</sup> 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 Felicien 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), Annex, Registry Pagination (“RP.”) 6972, 6971; 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 Felicien 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), Annex, RP. 6645. See also T. 24 July 2024 p. 8.

<sup>8</sup> Order for Further Independent Medical Expert Evaluation, 16 December 2024 (confidential) (“Order of 16 December 2024”), pp. 3, 4.

<sup>9</sup> 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.

<sup>10</sup> The Trial Chamber issued a confidential decision in relation to the implementation of the Order of 16 December 2024 on 7 March 2025 and anticipates that the confidential expert report will be filed no later than Tuesday, 22 April 2025. See Decision on Registrar’s Second Submission in Relation to the Order of 16 December 2024, 7 March 2025 (confidential), p. 6; Order of 16 December 2024, p. 4. See also Registrar’s Notice of Compliance with the “Decision on Registrar’s Second Submission in Relation to the Order of 16 December 2024” Dated 7 March 2025, 24 March 2025 (confidential).

<sup>11</sup> See, e.g., T. 11 December 2024 pp. 6-9; Progress Report of 9 December 2024.

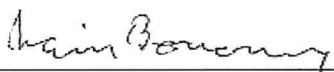
**CONSIDERING** that, in view of Mr. Kabuga's health condition, he may appear *via* video-conference link should he wish to attend the hearing;

**FOR THE FOREGOING REASONS,**

**HEREBY SCHEDULES** a status conference for Thursday, 1 May 2025 at 2 p.m. in the Courtroom of the Hague Branch of the Mechanism.

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

Done this 11th day of April 2025,  
At The Hague,  
The Netherlands

  
\_\_\_\_\_  
Judge Iain Bonomy  
Presiding Judge

**[Seal of the Mechanism]**



## I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

<b>To/ À :</b>	IRMCT Registry/ Greffe du MIFRTP	<input checked="" type="checkbox"/> Arusha/ Arusha	<input type="checkbox"/> The Hague/ La Haye			
<b>From/ De :</b>	<input type="checkbox"/> President/ Président	<input checked="" type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Prosecution/ Bureau du Procureur	<input type="checkbox"/> Defence/ Défense	<input type="checkbox"/> Registrar/ Greffier	<input type="checkbox"/> Other/ Autre
<b>Case Name/ Affaire :</b>	Prosecutor v. Félicien Kabuga		<b>Case Number/ Affaire n° :</b>	MICT-13-38-T		
<b>Date Created/ Daté du :</b>	11 April 2025	<b>Date transmitted/ Transmis le :</b>	11 April 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>	Order Scheduling a Status Conference					
<b>Classification Level/ Catégories de classification :</b>	<input checked="" type="checkbox"/> Public/ Document public	<input type="checkbox"/> Confidential/ Confidentiel	<input type="checkbox"/> Ex Parte Defence excluded/ Défense exclue	<input type="checkbox"/> Ex Parte Prosecution excluded/ Bureau du Procureur exclu	<input type="checkbox"/> Ex Parte Rule 86 applicant excluded/ Article 86 requérant exclu	<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ Amicus curiae exclu
<b>Document type/ Type de document :</b>	<input type="checkbox"/> Motion/ Requête	<input type="checkbox"/> Judgement/ Jugement/Arrêt	<input type="checkbox"/> Book of Authorities/ Recueil de sources	<input type="checkbox"/> Warrant/ Mandat	<input checked="" type="checkbox"/> Order/ Ordonnance	<input type="checkbox"/> Notice of Appeal/ Acte d'appel
	<input type="checkbox"/> Decision/ Décision	<input type="checkbox"/> Submission from parties/ Écritures déposées par des parties	<input type="checkbox"/> Affidavit/ Déclaration sous serment	<input type="checkbox"/> Indictment/ Acte d'accusation	<input type="checkbox"/> Submission from non-parties/ Écritures déposées par des tiers	

## II - TRANSLATION STATUS ON THE FILING DATE/ ÉTAT DE LA TRADUCTION AU JOUR DU DÉPÔT

<input type="checkbox"/> Translation not required/ La traduction n'est pas requise
<input checked="" type="checkbox"/> 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)
<input type="checkbox"/> English/ Anglais <input checked="" type="checkbox"/> French/ Français <input checked="" type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser):
<input type="checkbox"/> 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>Original/ Original en :</b> <input 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>Traduction/ Traduction en :</b> <input 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):
<input type="checkbox"/> 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):
<input 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):