

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-13-38-T

Date: 17 November 2025

Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mr. Abubacarr M. Tambadou

Order of: 17 November 2025

PROSECUTOR

v.

FÉLICIEN KABUGA

PUBLIC

ORDER SCHEDULING A STATUS CONFERENCE

Office of the Prosecutor:

Mr. Serge Brammertz
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) seized of this case;¹

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,² and that 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”);³

RECALLING that, pending the resolution of the issue of Mr. Kabuga’s liberation on provisional release, the Trial Chamber ordered status conferences to continue every 120 days pursuant to Rule 69 of the Rules and that hearings were thereafter held on 13 December 2023, 26 March 2024, 24 July 2024, 11 December 2024, 1 May 2025, and 25 September 2025;⁴

RECALLING that, between 18 January 2024 and 7 October 2025, 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,⁵ but that no State which Mr. Kabuga has identified as one where he wishes to go has agreed to accept him onto its territory;⁶

RECALLING the joint monitoring reports from the panel of court-appointed independent medical experts, which were filed confidentially on 23 August 2024, 18 February 2025, and 15 August 2025;⁷

¹ 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.

² 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.

³ See Decision of 8 September 2023, pp. 2, 5.

⁴ See Decision of 8 September 2023, p. 5; Transcript (“T.”) 13 December 2023; T. 26 March 2024; T. 24 July 2024; T. 11 December 2024; T. 1 May 2025; T. 25 September 2025. 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; Order Scheduling a Status Conference, 11 April 2025, p. 3; Order Scheduling a Status Conference, 11 August 2025, p. 3.

⁵ 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; Decision on Defence Motion for Authorisation to Disclose Medical Information, 22 July 2025 (confidential), pp. 1, 2; Decision on Defence Motion for Authorisation to Disclose Medical Information, 7 October 2025 (confidential), pp. 1-3.

⁶ See, e.g., Thirty-Third Progress Report in Relation to the Provisional Release of Félicien Kabuga Pursuant to the Trial Chamber’s Orders of 25 September 2023 and 17 December 2024, 25 September 2025 (original French version filed on 16 September 2025; confidential); T. 25 September 2025 pp. 9-16.

⁷ 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 Félicien Kabuga’s Fitness to Stand Trial” of

RECALLING that Dr. Gert Muurling was appointed as a further independent medical expert in critical care medicine and medical transfers on 29 January 2025⁸ and that he subsequently filed two written reports on 22 April 2025 and 23 June 2025;⁹

RECALLING FURTHER that, on 14 November 2025, the Trial Chamber issued a decision finding that Mr. Kabuga is not fit to travel to the Republic of Rwanda;¹⁰

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;

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

NOTING that a recording of the hearing will be made available to the public as soon as possible after its conclusion;

FOR THE FOREGOING REASONS,

HEREBY SCHEDULES a status conference for Wednesday, 17 December 2025 at 2 p.m. at the Hague Branch of the Mechanism.

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; 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 Félicien 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; 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 Félicien 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, 15 August 2025 (confidential, with confidential Annex), Annex.

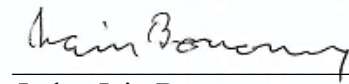
⁸ Order for Further Independent Medical Expert Evaluation, 16 December 2024 (confidential), pp. 3, 4; Registrar's Submission in Relation to the "Order for Further Independent Medical Expert Evaluation" of 16 December 2024, 4 February 2025 (confidential, with confidential Annex), paras. 1-4.

⁹ See Registrar's Submission in Relation to the "Decision on Registrar's Second Submission in Relation to the Order of 16 December 2024" Dated 7 March 2025, 22 April 2025 (confidential, with confidential Annex), para. 8, Annex; Registrar's Submission in Relation to the "Order for Further Submissions from the Independent Medical Expert" of 2 June 2025, 23 June 2025 (confidential, with confidential Annex), para. 4, Annex. See also Order for Further Submissions from the Independent Medical Expert, 2 June 2025, p. 3, Annex, pp. 5-7.

¹⁰ Decision on Félicien Kabuga's Fitness to Travel to Rwanda, 14 November 2025, paras. 27, 30, 32.

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

Done this 17th day of November 2025,
At The Hague,
The Netherlands



Judge Iain Bonomy
Presiding Judge

[Seal of the Mechanism]



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

I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À : IRMCT Registry/ Greffe du MIFRTP		☒ Arusha/ Arusha		☐ The Hague/ La Haye	
From/ De :	☐ President/ Président	☒ Chambers/ Chambre	☐ Prosecution/ Bureau du Procureur	☐ Defence/ Défense	☐ Registrar/ Greffier
Case Name/ Affaire : Prosecutor v. Félicien Kabuga			Case Number/ Affaire n° : MICT-13-38-T		
Date Created/ Daté du :	17 November 2025	Date transmitted/ Transmis le :	17 November 2025	Number of Pages/ Nombre de pages :	4
Original Language/ Langue de l'original :	☒ English/ Anglais	☐ French/ Français	☐ Kinyarwanda	☐ B/C/S	☐ Other/Autre (specify/ préciser):
Title of Document/ Titre du document : Order Scheduling a Status Conference					
Classification Level/ Catégories de classification :		☒ Public/ Document public ☐ Confidential/ Confidentiel ☐ Ex Parte Defence excluded/ Défense exclue ☐ Ex Parte Prosecution excluded/ Bureau du Procureur exclu ☐ Ex Parte Rule 86 applicant excluded/ Article 86 requérant exclu ☐ Ex Parte Amicus Curiae excluded/ Amicus curiae exclu ☐ Ex Parte other exclusion/ autre(s) partie(s) exclue(s) (specify/ préciser)			
Document type/ Type de document :					
☐ Motion/ Requête	☐ Judgement/ Jugement/Arrêt	☐ Book of Authorities/ Recueil de sources	☐ Warrant/ Mandat		
☐ Decision/ Décision	☐ Submission from parties/ Écritures déposées par des parties	☐ Affidavit/ Déclaration sous serment	☐ Notice of Appeal/ Acte d'appel		
☒ Order/ Ordonnance	☐ Submission from non-parties/ Écritures déposées par des tiers	☐ Indictment/ Acte d'accusation			

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

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