

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-13-38-AR80.4

Date: 8 December 2025

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Graciela Gatti Santana, President
Registrar: Mr. Abubacarr M. Tambadou
Order of: 8 December 2025

PROSECUTOR

v.

FÉLICIEN KABUGA

PUBLIC

**ORDER ASSIGNING JUDGES TO A BENCH OF
THE APPEALS CHAMBER**

The Office of the Prosecutor:

Mr. Serge Brammertz
Mr. Rupert Elderkin
Ms. Laurel Baig

Counsel for Mr. Félicien Kabuga:

Mr. Emmanuel Altit

I, GRACIELA GATTI SANTANA, President of the International Residual Mechanism for Criminal Tribunals (“President” and “Mechanism”, respectively);

NOTING that, on 7 August 2023, the Appeals Chamber of the Mechanism issued a decision, *inter alia*, affirming that Mr. Félicien Kabuga (“Kabuga”) was not fit for trial and very unlikely to regain fitness in the future, and instructing the Trial Chamber in the case against him (“Trial Chamber”) to expeditiously address the issue of Kabuga’s detention and consider appropriate modalities and conditions for his release;¹

NOTING that, on 14 November 2025, the Trial Chamber issued a decision finding that Kabuga is not fit to travel to the Republic of Rwanda and requesting European States, especially those that are close to the Kingdom of the Netherlands and where Kabuga has made an application for provisional release, to reconsider accepting him onto their territories based on his current medical condition;²

NOTING that, on 28 November 2025, the Prosecutor of the Mechanism sought appellate intervention by way of an appeal of the Decision of 14 November 2025 or a motion for reconsideration of the Decision of 7 August 2023;³

CONSIDERING that it would be in the interests of justice and judicial economy for the same bench of the Appeals Chamber that issued the Decision of 7 August 2023 to consider the Request;

RECALLING Article 12(3) of the Statute of the Mechanism;

NOTING Rule 24(C) of the Rules of Procedure and Evidence of the Mechanism (“Rules”);

PURSUANT TO Rule 23(A) of the Rules;

HEREBY ASSIGN the following Judges to a bench of the Appeals Chamber to consider the Request:

Judge Carmel Agius;

Judge Burton Hall;

Judge Liu Daqun;

¹ *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 (“Decision of 7 August 2023”), paras. 48, 74-76, 79.

² *Prosecutor v. Félicien Kabuga*, Case No. MICT-13-38-T, Decision on Félicien Kabuga’s Fitness to Travel to Rwanda, 14 November 2025 (“Decision of 14 November 2025”), para. 32.

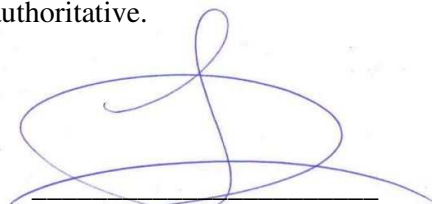
³ Prosecution Appeal or Motion for Reconsideration Concerning Kabuga’s Release, 28 November 2025 (public with confidential annex) (“Request”), paras. 1, 3-4, 19.

Judge Aminatta Lois Runeni N'gum; and

Judge José Ricardo de Prada Solaesa.

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

Done this 8th day of December 2025,
At Arusha,
Tanzania.



Judge Graciela Gatti Santana
President

[Seal of the Mechanism]



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