

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-12-23-AR14.2

Date: 10 February 2026

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Graciela Gatti Santana, President
Registrar: Mr. Abubacarr M. Tambadou
Order of: 10 February 2026

PROSECUTOR

v.

FULGENCE KAYISHEMA

PUBLIC

ORDER REPLACING A JUDGE

The Office of the Prosecutor:

Mr. Serge Brammertz
Ms. Laurel Baig

Counsel for Mr. Fulgence Kayishema:

Mr. Philippe Larochelle
Ms. Kate Gibson

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

NOTING that, on 22 February 2012, a trial chamber of the International Criminal Tribunal for Rwanda referred the case against Mr. Fulgence Kayishema (“Kayishema”) to the authorities of the Republic of Rwanda (“Rwanda”) for trial before the High Court of Rwanda;¹

NOTING that, on 29 October 2025, the Trial Chamber of the Mechanism assigned in the case of *Prosecutor v. Fulgence Kayishema*, Case No. MICT-12-23 (“Trial Chamber”), issued a decision dismissing, *inter alia*, three of the four grounds submitted by Kayishema in support of his request to revoke the referral of his case and that, on 24 December 2025, the Trial Chamber also dismissed the fourth ground put forward by Kayishema (collectively, “Impugned Decisions”);²

NOTING that, on 8 January 2026, Kayishema filed a notice of appeal against the Impugned Decisions;³

RECALLING that, on 15 January 2026, I assigned, pursuant to Article 12(3) of the Statute of the Mechanism (“Statute”), a bench of the Appeals Chamber to consider the Notice of Appeal (“Appeals Chamber”), composed of: myself as Presiding Judge, Judge Carmel Agius, Judge Florence Rita Arrey, Judge Liu Daqun, and Judge Seon Ki Park;⁴

RECALLING that, on 10 February 2026, I decided to withdraw from the Appeals Chamber;⁵

RECALLING Article 12(3) of the Statute;

PURSUANT TO Rules 23(A) and 24(B) of the Rules of Procedure and Evidence of the Mechanism;

HEREBY ASSIGN, effective immediately, Judge Seymour Panton to the Appeals Chamber; and

ORDER, effective immediately, that the Appeals Chamber shall therefore be composed as follows:

¹ *Prosecutor v. Fulgence Kayishema*, Case No. ICTR-01-67-R11bis, Decision on Prosecutor’s Request for Referral to the Republic of Rwanda, 22 February 2012, para. 162, p. 44.

² *Prosecutor v. Fulgence Kayishema*, Case No. MICT-12-23-R14.1, Decision on Fulgence Kayishema’s Requests for Revocation of Referral and Assignment of Counsel, 29 October 2025, p. 9; Further Decision on Fulgence Kayishema’s Request for Revocation of Referral, 24 December 2025, p. 6.

³ Defence Notice of Consolidated Appeal Against Decisions on Defence Request for Revocation of Referral, 8 January 2026 (“Notice of Appeal”), paras. 1, 19-20, 22, 24-25. On 23 January 2026, Kayishema filed his appeal brief. See Defence Appeal Brief Against Decisions on Request for Revocation of Referral, 23 January 2026.

⁴ Order Assigning Judges to a Bench of the Appeals Chamber, 15 January 2026, pp. 1-2.

⁵ Decision on Withdrawal, 10 February 2026, p. 2.

Judge Carmel Agius;

Judge Florence Rita Arrey;

Judge Liu Daqun;

Judge Seon Ki Park; and

Judge Seymour Panton.

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

Done this 10th day of February 2026,
At Arusha,
Tanzania.



Judge Graciela Gatti Santana
President

[Seal of the Mechanism]