



The International Residual Mechanism for Criminal Tribunals (“Mechanism”) was established on 22 December 2010 by the United Nations Security Council to continue the jurisdiction, rights, obligations, and essential functions of the International Criminal Tribunal for Rwanda (“ICTR”) and the International Criminal Tribunal for the former Yugoslavia (“ICTY”), which closed in 2015 and 2017, respectively.

CASE INFORMATION SHEET

The Office of the Prosecutor of the Mechanism has responsibility for the tracking, arrest, and prosecution of the remaining persons indicted by the ICTR for their alleged participation in the 1994 Genocide against the Tutsi in Rwanda. At present, the following three accused remain fugitives and their respective cases have been referred to Rwandan authorities: Aloys Ndimbati, Charles Ryandikayo, and Charles Sikubwabo.

This Case Information Sheet relates to Fulgence Kayishema, who was arrested on 24 May 2023 in Paarl, South Africa in a joint operation by the Fugitive Tracking Team in the Office of the Prosecutor of the Mechanism and South African authorities.

MICT-12-23

ARRESTED - FULGENCE KAYISHEMA



Fulgence Kayishema was the inspector of police at Kivumu commune in Kibuye préfecture, Rwanda, during the time of the crimes pleaded in the indictment.

Year and place of birth	1961, Kivumu commune, Kibuye préfecture, Rwanda
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Indictment	Initial indictment confirmed by a Judge of the ICTR on 28 November 1995 Operative indictment filed on 5 July 2001
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Status of the Case	Arrested on 24 May 2023
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CASE BACKGROUND INFORMATION

INDICTMENT

Fulgence Kayishema was charged with genocide, complicity in genocide, conspiracy to commit genocide, and extermination as a crime against humanity, committed in Kivumu commune, Kibuye *préfecture*, in Rwanda between 6 and 20 April 1994, when he was a police inspector in the area.

According to the operative indictment against Kayishema dated 5 July 2001 (“Indictment”), he was responsible for, or alternatively, was an accomplice to the killing or causing serious bodily or mental harm to members of the Tutsi population on or between 6 and 20 April 1994 in the Kivumu commune, with the intent to destroy, in whole or in part, a racial or ethnic group. The Indictment further alleges that Kayishema and other persons conspired to commit genocide on or between 6 and 20 April 1994 in the Kivumu commune, by killing or causing serious bodily or mental harm to members of the Tutsi population with the intent to destroy, in whole or in part, a racial or ethnic group.

The Indictment also alleges that, on or about 15 April 1994, Kayishema planned, instigated, ordered, or otherwise aided and abetted the destruction of the Nyange Church, in the Kivumu commune, with more than 2000 Tutsis trapped inside, causing their deaths. It is alleged that after the Church was destroyed, most of the Tutsis from the Kivumu commune were killed, and in July 1994, there were no Tutsis known in the commune.



One count of genocide (Count 1)

One count of complicity in genocide (Count 2)

One count of conspiracy to commit genocide (Count 3)

One count of crimes against humanity

- Extermination (Count 4)

REFERRAL OF CASE TO RWANDA

On 22 February 2012, a Chamber of the ICTR ordered that the case of Fulgence Kayishema be transferred to the authorities of the Republic of Rwanda (“Rwanda”).

On 7 May 2014, a Single Judge of the Mechanism, Judge Vagn Joensen, requested all Member States of the United Nations (“UN”) to search for, arrest, and transfer Kayishema to the custody of the National Public Prosecution Authority of Rwanda.

On 24 May 2023, Kayishema was arrested in Paarl, South Africa in a joint operation by the Fugitive Tracking Team in the Office of the Prosecutor of the Mechanism and South African authorities. Kayishema is expected to be transferred to Rwanda for trial.

For more information please visit the Mechanism website www.irmct.org.
For press inquiries, email mict-press@un.org.