

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No: MICT-22-124

Date: 4 November 2024

Original: English

BEFORE THE PRESIDENT

Before: Judge Graciela Gatti Santana

Registrar: Mr Abubacarr M. Tambadou

IN THE MATTER OF

**FRANÇOIS-XAVIER NZUWONEMEYE
PROSPER MUGIRANEZA
PROTAIS ZIGIRANYIRAZO
ALPHONSE NTEZIRYAYO
ANDRE NTAGERURA
INNOCENT SAGAHUTU**

Public

**NZUWONEMEYE RESPONSE TO REGISTRAR'S
ELEVENTH BI-MONTHLY SUBMISSION**

Counsel for Applicant

Peter Robinson for Francois-Xavier Nzuwonemeye

Counsel for the Other Relocated Persons

Kate Gibson for Prosper Mugiraneza
John Philpot for Protais Zigiranyirazo
Iain Edwards for Alphonse Nteziryayo
Philippe Larochelle for Andre Ntagerura
Jean Flamme for Innocent Sagahutu

Introduction

1. Francois-Xavier Nzuwonemeye hereby responds to the *Registrar's Eleventh Bi-Monthly Submission in relation to the "Further Instruction to the Registrar" of 19 December 2022* (1 November 2024).

2. Major Nzuwonemeye greatly appreciates the efforts of the Registrar and his staff over the past 2 years and 10 months, but notes that those efforts have now been reduced to a trickle.

3. The possibility of resettlement to the Democratic Republic of Congo has evaporated. The three-month special mandate given to Mr. Ali Dicko on 26 July 2024 by the DRC President¹ expired on 26 October 2024. In any event, the DRC President's office had disowned Mr. Dicko's mandate as "fake news" on social media after the Rwandan government objected to the potential relocation of the detained persons to DRC.² Mr. Dicko is no longer in contact with the detained persons.

4. A new initiative is needed to relocate Major Nzuwonemeye and end his unlawful detention.

5. During the video conference between the Registrar and counsel for the detained persons on 18 June 2024, counsel for Major Nzuwonemeye proposed that the Registrar consider appointing a Special Advisor, such as former Chilean President Michelle Bachelet, to lead a diplomatic effort to persuade a State to accept Major Nzuwonemeye and the other detained persons onto its territory. The Registrar has never responded to this suggestion.

6. In light of the lack of significant activity and results, Major Nzuwonemeye believes that the Mechanism should now seek outside help to spearhead those efforts. A person with diplomatic experience and contacts, such as President Bachelet, should be engaged by the Mechanism as a Special Advisor to use their diplomatic skills and contacts to persuade potential relocation States to accept to relocate Major Nzuwonemeye and the other detained persons.

7. Other possible candidates for Special Advisor who might be considered include former International Criminal Court Assembly of States Parties Presidents Sylvia Fernandez de Gurmendi and ICTY Judge O Gon Kwon, former ICTR Presidents Navi Pillay and Sir Dennis Byron, and former ICTR Registrar Adama Dieng.

8. The President is respectfully requested to encourage or direct the Registrar to engage an experienced diplomat to buttress the Mechanism's efforts to once and for all end this crisis. The *status quo* is not working.

¹ See *Annex to "Additional Information in Support of Motion for Judicial Review dated 23 July 2024"* (5 August 2024)

² <https://x.com/acprdcongo/status/1835772115624296711?s=46&t=kslZWFrR14XTaGHXPNusxg>

Word Count: 500

Respectfully submitted,

A handwritten signature in black ink that reads "Peter Robinson". The signature is written in a cursive style with large, rounded letters.

PETER ROBINSON

Counsel for Francois-Xavier Nzuwonemeye



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