

UNITED NATIONS



International Residual Mechanism
for Criminal Tribunals

Case No: MICT-14-77-R90.1

Date: 10 October 2024

Original: English

BEFORE THE PRESIDENT

Before: Judge Gatti Santana, President
Registrar: Mr. Abubacarr Tambaou
Date: 10th October 2024

IN THE MATTER OF:

NTABAKUZE, Aloys

URGENT

**PUBLIC MOTION TO THE PRESIDENT CONCERNING SEIZURE AND IMMINENT
DESTRUCTION OF ELECTRONIC DEVICES OF ICTR PRISONERS AT AKPRO-
MISSERETE PRISON IN BENIN – WITH ANNEX**

The Office of the Prosecutor

Mr. Serge Brammertz

Counsel for Mr. Ntabakuze

Sandrine Gaillot, Esq.

BACKGROUND

1. My client, Aloys Ntabakuze has been serving his sentence at the Akpro-Misséréte prison in Benin since June 2012.
2. On or about August 16, 2024, the administration of the Akpro-Misséréte prison abruptly confiscated all the electronic devices of ICTR prisoners currently serving sentences under the jurisdiction of the International Mechanism for the Criminal Tribunals (MICT). Upon information and belief, the search was conducted at night, without notice, and the confiscated items include laptops, USB keys, external hard drives, and other items.
3. My client contacted me directly this week (and also sent the attached correspondence written collectively by the prisoners, for your attention, on September 28th) and confirmed that on September 24, 2024 the seized items were transported by the former Prison Regisseur Codjo Gaston Totohu, just before he was relieved of his functions, to the Headquarters of the Agence Pénitentiaire du Benin, in Cotonou, over 50km away. **No inventory of the items seized was made or provided to the prisoners** as is required under Rule 67 of the Mandela Rule. No guarantees have been made that the seized property would be maintained in proper working condition and safeguarded away from the heat and humidity. In fact, the former Regisseur told the prisoners in no uncertain terms that he had no duty to maintain the seized equipment **since it was due to be destroyed. The matter requires your urgent attention given the violation of the prisoners' rights and the likely irreversible decision the Prison authorities have taken regarding destruction of the seized property.**
4. To date, the prisoners themselves and some of their counsels (including myself) have pleaded the Registrar and the Prison authorities to request the return of the property to their rightful owners, but all these requests have been met by nothing else than radio silence, except (as far as I know) for one standard response from the Registrar to Mr. Philpot and another to myself, reaffirming the Mechanism's policy of upholding Article 3 of the Sentence Enforcement Agreement regarding the Enforcement State's jurisdiction over the conditions of imprisonment and their *new* policy regarding the unauthorized nature of the seized property. This Response is not satisfactory, does not

address the urgency of the matter given the upcoming destruction, and does not respect the Sentence Enforcement Agreement, nor the Mandela Rules and does nothing to protect the rights of the prisoners.

5. If the Prison Authorities have confirmed to the Registrar that the items are being kept in a secure location where their integrity is not at stake, it is the duty of the Prison authorities to provide the evidence of the same to the Prisoners. So far, no such thing has been done.
6. Further, it is claimed in the Registrar's Response to Maître Philpot on August 29, 2024 and in the Registrar's Response to me on October 2, 2024, that, the Benin Prison authorities consider the seized items as unauthorized property which cannot be kept in prisoners' cells for security reasons. First, as per the Mandela Rules, prisoners are supposed to receive notice when there is a change in policy, especially when it comes to the management of their personal belongings or their rights. Second, did the Mechanism receive a copy of such a policy?
7. After so many years of an established practice allowing ICTR prisoners to keep their devices and have access to their legal records, at the knowledge and authorization of the Bénin Prison authorities since they themselves are involved in the process of repair and replacement of these devices, which are accessible to be verified and controlled on a regular basis, it is incomprehensible that such a swift confiscation could be approved by the Prison authorities, **with de facto approval of the MICT**.
8. Removing all electronic archives from the prisoners' possession is a **disproportionate and unfair punishment** for the alleged and unproven action of one individual.
9. All the legal files of the Mr. Ntabakuze are in his seized computer and external hard drive. According to Rule 53 of the Mandela Rules, he must be allowed to retain exclusive access to these files, which contain:
 - a) His entire Military-I Trial record.
 - b) Relevant case law collected and organized over the years.

- c) Personal and confidential documents, including attorney-client work product, documents concerning protected witnesses, personal medical records, and correspondence with the Mechanism.

IRREPARABLE HARM AND VIOLATION OF RIGHTS

10. With the total volume of this material comprising approximately 1.5 terabytes, producing hard copies would be impossible considering the sheer volume of data, thus, the mishandling or deterioration of the same would be a **huge and irreparable loss**.
11. **The identity of protected witnesses is at stake.** The issue of protected witnesses is a high priority for the Mechanism. Breach of protection orders can lead to criminal charges. Indeed, witnesses from defence and prosecution often testified based on guarantees of confidentiality. **In refusing to act, the Mechanism is complicit in these multiple potential breaches of confidentiality and exposure of protected witnesses.**
12. Considering the heat and humidity in Benin, the **integrity of the material** is at risk, so the immediate return of the electronic devices is urgent. Computers must be taken care of and restarted regularly, and the prisoners can take care of the devices in their cells.
13. For many years, it has been an established practice allowing ICTR prisoners to keep their devices and have access to their legal records, at the knowledge and authorization of the Benin prison authorities. The prison authorities have always allowed for the process of repair and replacement of these devices, which are accessible to be verified and controlled on a regular basis. If more controls are required, Mr. Ntabakuze will willingly comply. Preventing him from accomplishing his life-long work towards a potential release is causing **severe moral and emotional distress**.
14. The MICT, and the ICTR before that, established this long-standing practice to allow prisoners to keep their personal devices and external hard drives, to be able to effectively participate in their own defense. In doing so, the ICTR and MICT created an expectation that this 27-year-old practice would be maintained by the Sentence enforcement States. Equally situated prisoners serving their sentences in Senegal or

in Europe have unimpeded access to their own electronic legal archive via personal computers they keep in their possession. In fact, in searching for qualified enforcement states, the Registrar of the ICTR (and that of other UN ad hoc or hybrid tribunals) have specifically focused on the ability of the candidate prison to maintain a certain standard of living for their international prisoners. This included the ability to work and access their archives.

15. The right of prisoners to retain their court records and archives in electronic format is maintained for reasons of practicality, confidentiality, and integrity, in accordance with Rule 53 of the Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), which states that prisoners “**shall** have access to” or keep in their possession documents relating to their legal proceedings, “**without access by the prison administration.**”
16. The Mechanism has legal jurisdiction over the prisoners concerning applications for release and review proceedings. Both are judicial proceedings before the Mechanism to be heard either by the President or a judge named by the President.
17. Additionally, the Mechanism no longer has a duty to provide legal counsel after conviction. Therefore, in most cases, convicted persons can only rely on themselves to prepare their applications for early release or review, via Direct Petition to the President, which Article 3 of the revised Practice Direction on commutation of sentences allows.
18. *Pro bono* counsel can advise from afar, but a large part of the work is accomplished by the prisoners. Counsel works at a distance most of the time with very occasional visits to the prisons.
19. Regular access to his documents is the only way Mr. Ntabakuze and his fellow prisoners can prepare their applications for post-conviction relief. Thus, the unwarranted and overzealous seizure of the electronic devices finds no justification in law or in fact, and it has the effect of depriving him of his ability to reflect, write notes, do research, and maintain hope that he will one day be released.
20. I have represented Mr. Ntabakuze since 2007 and I can attest to the fact that he has been a model prisoner (all evidence to that effect can be found in his first application for early release, filed in November 2020, and confirmed in the President’s decision)

and an extremely prolific defendant, as he has greatly contributed to his legal team's work. He has an intimate knowledge of his own case and **preventing his access to his archives can be qualified as unfair and undue treatment causing extreme hardship and emotional distress**. It is my understanding that he has conveyed the same to the Registrar's team during their visit to Akpro-Misséréte prison this past week.

21. For an international prisoner, being deprived of his electronic work equipment amounts to being **irreversibly deprived of all his legal rights**. Access to such equipment contributes to the prisoners' mental health, helps them remain challenged, stimulated, and maintain their intellect in the work that remains to be done to fight for their release. In Mr. Ntabakuze's particular case, since being detained at UNDF and in Benin, he has used his ability to work and maintain a meticulously organized archive as a way to maintain his sanity. He has established a daily work routine that required to have constant access to these records, and which provided him with some stability, kept him busy and productive. **His physical and mental health is severely affected since his personal computer and hard drive were confiscated without notice, he feels lost, demoralized, and hopeless. The past 25 years of his life behind bars have just been snatched away without an afterthought.**
22. The prisoners' access to their archives and ability to work on their cases has also **contributed to peace and serenity within the ICTR prisoners' quarters**. They mind their own business, despite having to co-exist with common law prisoners in what was originally exclusively designed as the international quarters for ICTR prisoners and for which the Mechanism has been paying upkeep and improvement costs (art. 11.2(d) Sentence Enforcement Agreement with Benin).
23. The seizure of the computers also prevents the Mechanism from exercising its legal jurisdiction on review and access to liberty for prisoners who have completed large parts of their sentences. In essence, the Benin authorities have not only **infringed the fundamental rights of the prisoners** but also the **Mechanism's ability to exercise its authority** over its own prisoners and **complete its mandate**.

VIOLATION OF SENTENCE ENFORCEMENT AGREEMENT AND TRANSFER TO ANOTHER ENFORCEMENT STATE

24. The 12 May 2017 revised *Agreement Between the United Nations and the government of the Republic of Benin on the Enforcement of Sentences Pronounced by the International Criminal Tribunal for Rwanda or The International Residual Mechanism for Criminal Tribunals* (hereinafter the Sentence Enforcement Agreement with Benin) signed by the United Nations and the Republic of Benin, provides at its article 3:

2. The conditions of imprisonment shall be governed by the law of the requested State and be subject to the supervision of the Mechanism.

3. Conditions of imprisonment shall be compatible with the Standard Minimum Rules for the Treatment of Prisoners, the Body of Principles for the Protection of all Persons under Any Form of Detention or Imprisonment, and the Basic Principles for the Treatment of Prisoners, while also adhering to best practices in prison management aimed at ensuring, *inter alia*, the security of the detention facility and the convicted persons. [own emphasis added]

25. The use of the verb “shall” is unequivocal: if the fundamental rights are not respected, the Mechanism **must** order or require the prison authorities to respect the rights. Failure to respect these rights should require transfer to another Host State with all the belongings of the prisoners.

26. In not intervening, the Mechanism is not only in violation of the Mandela Rules but also effectively and implicitly preventing Mr. Ntabakuze from preparing his applications for early release. It is in breach of its duty of care to the prisoners and effectively preventing them from exercising their legal rights. This casts doubt as to the Mechanism’s true intention in seeing these proceedings through.

27. National authorities must ensure that the continuing needs of persons serving their sentences under the supervision of the Mechanism are met, even if it results in disparities with national prisoners. Should the State be unable to adequately address these specific needs, it should inform the Mechanism that it is unable to enforce the sentence.¹ Disparity between ICTR prisoners and national prisoners is almost certainly an issue in this situation. As a result of this disparity, it is evident that the Benin authorities are no longer able to safely and adequately host the ICTR prisoners without

¹ *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Request for Transfer to Another Enforcement State* (23 January 2018) at para. 44; *Prosecutor v Martić*, No. MICT-14-82-ES, *Decision on Request to Transfer to Another Enforcement State* (19 December 2017) at para. 22

infringing their rights, solely for the purpose of equalizing their treatment with that of common law prisoners, which is formally and utterly in violation of the Enforcement State Agreement with Benin.

28. Requests for change in the enforcement State will only be granted in the most serious of circumstances, where there is a direct and continuing threat to the rights of an individual which cannot be cured through coordination with relevant national authorities.² The nearly two months silence on the part of the Benin authorities, and the concurrent change in the Akpro-Misséréte prison administration staff and their refusal of the new staff to get involved, are testament of the Benin Prison authorities' intent to do away with their responsibility to continue to host ICTR prisoners. Given the imminent destruction of the illegally seized property, **time is of the essence** and two months of being deprived of their most basic rights constitutes a serious violation. As such, **the threshold of an immediate transfer has been met.**

29. A prisoner has standing to request such a transfer from an enforcement State when there are well founded allegations that said enforcement State is violating the person's rights.³

30. Many of the ICTR prisoners at the same prison are in similar circumstances. It is expected that other prisoners will join this application or make similar ones. Since this

² *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision of the President on Motion for Reconsideration and Review of Sentence of Milan Lukic* (28 January 2016) at para. 19; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision of the President on Request for Pardon or Transfer to Another Enforcement State* (7 September 2016) at para. 47; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Request for Transfer to Another Enforcement State* (23 January 2018) at para. 14; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Requests for Transfer* (3 December 2020) at para. 13; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Request for Transfer* (19 January 2022) at para. 18; *Prosecutor v Martić*, No. MICT-14-82-ES, *Decision on Request to Transfer to Another Enforcement State* (19 December 2017) at para. 13; *Prosecutor v Martić*, No. MICT-14-82-ES, *Decision on Request for Transfer* (12 February 2021) at para. 15; *Prosecutor v Dragomir Milosevic*, No. MICT-16-98-ES, *Decision on Request to Transfer to Another Enforcement State* (21 July 2016) at para. 8; *Prosecutor v Dragomir Milosevic*, No. MICT-16-98-ES, *Decision on Renewed Request to Transfer to Another Enforcement State* (12 June 2017) at para. 13; *Prosecutor v Dragomir Milosevic*, No. MICT-16-98-ES, *Decision on Request for Transfer* (24 December 2020) at para. 13

³ *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision of the President on Request for Pardon or Transfer to Another Enforcement State* (7 September 2016) at para. 46; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Request for Transfer to Another Enforcement State* (23 January 2018) at para. 13; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Requests for Transfer* (3 December 2020) at para. 12; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Request for Transfer* (19 January 2022) at para. 17; *Prosecutor v Lukic*, No. MICT-13-52-ES.1, *Decision on Request for Transfer* (23 September 2022) at p. 3; *Prosecutor v Martić*, No. MICT-14-82-ES, *Decision on Request to Transfer to Another Enforcement State* (19 December 2017) at para. 12; *Prosecutor v Martić*, No. MICT-14-82-ES, *Decision on Request for Transfer* (12 February 2021) at para. 14; *Prosecutor v Dragomir Milosevic*, No. MICT-16-98-ES, *Decision on Request to Transfer to Another Enforcement State* (21 July 2016) at para. 7; *Prosecutor v Dragomir Milosevic*, No. MICT-16-98-ES, *Decision on Renewed Request to Transfer to Another Enforcement State* (12 June 2017) at para. 12; *Prosecutor v Dragomir Milosevic*, No. MICT-16-98-ES, *Decision on Request for Transfer* (24 December 2020) at para. 12

issue arose almost two months ago, the Benin Authorities have not responded or acknowledged the prisoners' plight, notwithstanding the diligence of the prisoners affected in writing to them and the Registrar. Through the attached correspondence, that may or may not have already reached you, but which my client has personally asked me to attach to this motion, the prisoners are petitioning you for this transfer if the matter cannot be resolved expeditiously, **before destruction or irreversible loss of the seized property and its content.**

31. It is therefore the legal responsibility of the Mechanism to ensure that the electronic devices are returned to the prisoners as part of its legal duty to ensure the preservation of their rights, as well as their safety, and their physical and emotional security. If the Benin Authorities do not comply, the Mechanism must initiate the transfer to another Enforcement State.

CONCLUSION AND RELIEF REQUESTED

Mr. Ntabakuze respectfully requests that the President:

- Order the Registrar, as per Rule 67(1) of the Mandela Rules, to **URGENTLY** require the Benin Authorities to **implement measures to guarantee the integrity** of the material, and immediately provide proof thereof to the Mechanism; AND
- Order the Registrar to require the Benin Authorities to **URGENTLY return** all the equipment belonging to Mr. Ntabakuze in the next few days, in compliance with Rule 53 of the Mandela Rules.
- If the Benin authorities do not respect the requests of the Registrar, in a last resort, Mr. Ntabakuze requests an **IMMEDIATE transfer** to another host country, such as Senegal, with all his electronic equipment and other personal belongings.

Word Count: 3,063 words

Respectfully submitted this 10th October 2024


Sandrine Gaillot, Esq.



Akpro-Misserete, le 03/10/2024

A Maître Sandrine Gaillot

Email : < sandrine.gaillot@gmail.com >

Madame l'avocate,

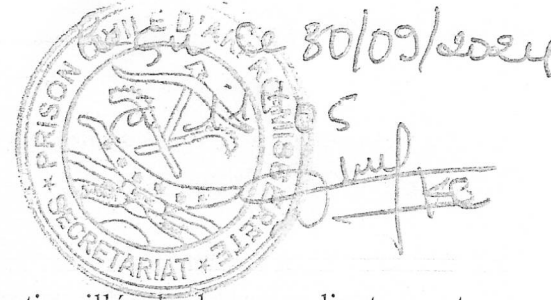
Je vous transmets en annexe la
copie de la lettre des Prisonniers
du MTPI adressée à Madame
la Présidente du MTPI en
date du 28/09/2024 relative-
ment à nos ordinateurs et
leurs accessoires confisqués.

Respectueusement.

Votre client, Aloys NTABAKUZE

Akpro-Missérété, le 28 septembre 2024

Prisonniers de l'ONU/MTPI
Prison civile d'Akpro-Missérété
B.P 45 Akpro-Missérété
République du Bénin



A l'Honorable Madame la Juge Présidente du MTPI

Objet : S.O.S pour la protection de nos droits suite à la confiscation illégale de nos ordinateurs et leurs accessoires

Honorable Madame la Juge Présidente,

Nous Prisonniers relevant de la compétence du MTPI purgeant nos peines en République du Bénin signataires de la présente lettre, avons l'honneur de nous adresser à votre haute autorité pour vous demander d'intervenir afin de protéger nos droits suite à la confiscation illégale de nos ordinateurs et leurs accessoires.

En effet, par notre lettre du 28 août 2024 adressée à nos avocats par l'intermédiaire du Président de l'Association RAPP et dont une copie pour information vous a été réservée, nous signalions que l'Administration avait saisi nos ordinateurs et leurs accessoires sans préavis dans la nuit du 16 au 17 août 2024 et demandions aux avocats d'intervenir auprès des autorités du MTPI et du pays hôte (parties signataires de l'Accord relatif à l'exécution de nos peines au Bénin) pour que ces outils indispensables nous soient restitués avant que le pire n'arrive.

Relayant notre cri de détresse, certains avocats ont soumis nos doléances au Greffier du MTPI et au Directeur Général de l'Agence Penitentiaire du Bénin (APB). Cependant, selon les informations en notre possession, le Directeur Général de l'APB n'a, jusqu'aujourd'hui, réservé aucune suite à leur correspondance. Quant au Greffier, il aurait adressé également une lettre au Directeur Général de l'APB mais nous ne savons pas s'il y aurait eu une quelconque réaction.

Par contre, nous apprenons, qu'en date du 24 septembre 2024, le Régisseur Codjo Gaston TOTOHOU, Commissaire de 2^{ème} classe, remplacé très récemment à la tête de la Prison Civile d'Akpro-Missérété, a transféré lui-même nos ordinateurs et leurs accessoires au siège de l'APB où il aurait été désigné. L'on peut se demander pourquoi il n'a pas attendu pour les remettre à son successeur.

En tout état de cause, l'éloignement de nos ordinateurs et leurs accessoires et leur destruction éventuelle nous inquiète au plus haut niveau. Et rien ne garantit qu'ils y soient parvenus indemnes et qu'ils y seront gardés en toute sécurité et en bon état de fonctionnement. Pis encore pour combien de temps ?

Faut-il signaler aussi que selon ce Régisseur, la saisie aurait été motivée par un email qui aurait été envoyé au MTPI par un présumé détenu du MTPI, à notre avis, inexistant jusqu'à preuve du contraire. Lors de la rencontre que nous avons eue avec lui, le 26 août 2024, nous lui avons expliqué que depuis 15 ans aucune autre autorité béninoise n'a considéré que nos ordinateurs étaient des objets prohibés et qu'il devrait nous les restituer. Tout en avouant qu'il comprenait nos explications il a maintenu sa position de dire que la décision de nous les remettre n'est plus à son niveau. Ensuite, nous lui avons demandé, qu'en attendant cette décision, il nous permette d'effectuer de temps en temps le démarrage d'entretien de nos ordinateurs. En réponse, il nous a laissé entendre que le matériel saisi devrait normalement être détruit et qu'il n'est donc pas tenu à les entretenir.

Nous estimons que l'idée de l'ancien Régisseur de détruire ou de ne pas maintenir en bon état nos outils saisis est, dans notre cas précis, en contradiction avec l'article 67 alinéa 1 de la Règle Mandela¹ d'autant plus que, comme nous l'avons suffisamment démontré dans notre lettre du 28 août 2024, nos ordinateurs et leurs accessoires n'ont jamais été, avant la saisie du 16 août 2024, pris pour objets prohibés.

L'utilisation des ordinateurs par les prisonniers du TPIR/MTPI date depuis 1999 sur autorisation du TPIR. En effet, c'est depuis longtemps que les dossiers judiciaires et toutes les communications aux parties sont fournis sur des supports électroniques à cause de la lourdeur des dossiers du TPIR/MTPI. Ainsi, un prisonnier du MTPI ne peut pas travailler sur son dossier s'il ne peut pas avoir l'accès aux documents relatifs à son procès stockés dans son ordinateur et ses accessoires.

À propos de l'accès des détenus aux documents relatifs à leurs procès, l'article 53 de la Règle Mandela stipule que « *les détenus doivent pouvoir accéder aux documents relatifs à leurs procès, ou être autorisés à les garder en leur possession, sans que l'Administration pénitentiaire ne puisse y avoir accès* ». De plus, l'article 3 de l'accord d'exécution de peines signé entre l'ONU et la République du Bénin, le 12 mai 2017, prévoit que les conditions d'emprisonnement cadrent avec les dispositions de l'ensemble de règles minima des Nations Unies pour le traitement des détenus (Règle Nelson Mandela).

Par conséquent, la confiscation de nos ordinateurs et leurs accessoires est bel et bien illégale car elle viole l'article 53 de la Règle Mandela et l'article 3 de l'Accord d'exécution de peines signé le 12 mai 2017.

Par ailleurs, au-delà des gros risques évidents de perdre nos outils de travail indispensables et tous les volumineux dossiers importants et confidentiels qu'ils contiennent, de l'impossibilité de pouvoir engager des procédures aux fins de libération anticipée ou de révision de jugement sans oublier l'impact de tout cela sur notre santé physique et mentale, il faut craindre la violation éventuelle des mesures de protection des témoins. Dans cette dernière hypothèse, nous déclinons notre responsabilité au cas où les témoins protégés seraient mis en danger suite aux éléments confidentiels puisés dans nos ordinateurs.

Ce risque de danger concerne aussi nos familles ou l'une ou l'autre personne citée quelque part dans nos archives stockées dans nos ordinateurs et leurs accessoires et dont les noms et localisations seraient divulgués indûment.

Madame la Juge Présidente,

Depuis la confiscation illégale de nos ordinateurs dans la nuit du 16 au 17 août 2024, nous vivons une situation inédite dans ce pays d'accueil où nous sommes liés par l'exécution de nos peines sous la supervision du MTPI conformément à l'Accord signé entre l'ONU et la République du Bénin, le 12 mai 2017.

Si nous sommes illégalement dépourvus de nos outils de travail (ordinateurs et leurs accessoires) en plus transférés dans un lieu qui nous reste inaccessible à environ 60 Km de la Prison Civile d'Akpro-Misséréte, nous estimons qu'un très lourd et grave préjudice nous est imposé injustement.















¹Article 67(1) de la règle Mandela stipule que : « *Lorsque le règlement n'autorise pas le détenu à conserver en sa possession l'argent, les objets de valeur, vêtements et autres effets qui lui appartiennent, ceux-ci doivent tous être placés en lieu sûr, lors de son admission en prison. Un inventaire de ces effets doit être dressé et il doit être signé par le détenu. Des mesures doivent être prises pour faire en sorte que ces effets demeurent en bon état* ».

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Eu égard à tout ce qui précède, nous en appelons à votre haute autorité pour rendre justice et nous rétablir dans nos droits et pour que ne soient commises, de prime abord, des violations graves des textes fondamentaux, entre autres le Statut du MTPI, le Règlement de Procédure et de preuve du MTPI, l'Accord d'exécution de peines signé entre l'ONU et le Bénin, les Directives du MTPI, la Règle Mandela, la Déclaration universelle des droits de l'homme etc...

Dans l'attente d'une suite favorable et rapide si possible, nous vous prions d'agréer, Honorable Madame la Juge Présidente, l'expression de notre très haute considération.

Les signataires :

1. NIZEYIMANA Iolophonse 
2. RATETE Jean Baptiste 
3. NDAHIMANA Gaborre 
4. Semanza Laurent 
5. MUSEMA-UWIMANA Alfred 
6. BIZIMUNGU Augustin 
7. NATELITZHE Juvenal 
8. NTABAKURE Aloys 
9. NCHAMIHIGO Siméon 
10. P. SEROMBA Athanase 
11. Ndirindababizi Emmanuel 
12. NZABONIMANA CALLIXTE 
13. AKAYESU Jean-Jay 
14. HATEGEKIMANA Joseph 

Copie pour information :

- Son Excellence Monsieur le Ministre des Affaires Etrangères du Bénin, Cotonou ;
- Son Excellence Monsieur le Ministre de la Justice, de la Législation et Garde des sceaux du Bénin, Cotonou ;
- Monsieur le Greffier du MTPI, La HAYE, Pays-Bas ;
- Monsieur le Directeur Général de l'APB, Bénin, Cotonou ;
- Maître John Philpot Email : johnrphilpot@gmail.com
- Maître Sandrine Gaillot Email : sandrine.gaillot@gmail.com
- Autres avocats de la Défense C/O Maître John Philpot
- CICR, Genève, Suisse ;
- Les familles des signataires.



I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À :	IRMCT Registry/ Greffe du MIFRTP	<input checked="" type="checkbox"/> Arusha/ Arusha	<input type="checkbox"/> The Hague/ La Haye			
From/ De :	<input type="checkbox"/> President/ Président	<input type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Prosecution/ Bureau du Procureur	<input checked="" type="checkbox"/> Defence/ Défense	<input type="checkbox"/> Registrar/ Greffier	<input type="checkbox"/> Other/ Autre
Case Name/ Affaire :	In the matter of Aloys Ntabakuze		Case Number/ Affaire n° :	MICT-14-77-R90.1		
Date Created/ Daté du :	10 October 2024	Date transmitted/ Transmis le :	9 October 2024	Number of Pages/ Nombre de pages :	9 + 4 in Annex	
Original Language/ Langue de l'original :	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda	<input type="checkbox"/> B/C/S	<input type="checkbox"/> Other/ Autre (specify/ préciser):	
Title of Document/ Titre du document :	URGENT PUBLIC MOTION TO THE PRESIDENT CONCERNING SEIZURE AND IMMINENT DESTRUCTION OF ELECTRONIC DEVICES OF ICTR PRISONERS AT AKPRO-MISSERETE PRISON IN BENIN + ANNEX					
Classification Level/ Catégories de classification :	<input checked="" type="checkbox"/> Public/ Document public	<input type="checkbox"/> Confidential/ Confidentiel	<input type="checkbox"/> Ex Parte Defence excluded/ Défense exclue	<input type="checkbox"/> Ex Parte Prosecution excluded/ Bureau du Procureur exclu	<input type="checkbox"/> Ex Parte Rule 86 applicant excluded/ Article 86 requérant exclu	<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ Amicus curiae exclu
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	<input type="checkbox"/> Order/ Ordonnance	<input type="checkbox"/> Submission from non-parties/ Écritures déposées par des tiers	<input type="checkbox"/> Affidavit/ Déclaration sous serment	<input type="checkbox"/> Notice of Appeal/ Acte d'appel	<input type="checkbox"/> Affidavit/ Déclaration sous serment	<input type="checkbox"/> Indictment/ Acte d'accusation

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