

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-25-135-I

Date: 27 March 2025

Original: English

BEFORE A SINGLE JUDGE

Before: Judge Joseph E. Chiondo Masanche

Registrar: Mr. Abubacarr M. Tambadou

Decision of: 27 March 2025

IN THE MATTER OF PETER ROBINSON

PUBLIC

**DECISION ON *AMICUS CURIAE*'S MOTION FOR
RECLASSIFICATION**

Amicus Curiae:

Mr. Kenneth Scott

Mr. Peter Robinson

I, JOSEPH E. CHIONDO MASANCHE, Judge of the International Residual Mechanism for Criminal Tribunals (“Mechanism”) and Single Judge in this case;¹

BEING SEISED OF a confidential and *ex parte* motion, filed on 20 March 2025,² wherein the *Amicus Curiae*³ requests that: (i) the *Nzabonimpa et al.* Decision of 23 March 2022 be reclassified as public in order for Mr. Peter Robinson to have access to it since the *Amicus Curiae* seeks to file a motion in relation thereto; and (ii) if that decision is reclassified as public, the present Motion also be reclassified as public;⁴

NOTING that, according to the *Amicus Curiae*, the *Nzabonimpa et al.* Decision of 23 March 2022 does not appear to include confidential and/or otherwise sensitive information;⁵

CONSIDERING that all proceedings before the Mechanism shall be public unless exceptional reasons require keeping them confidential;⁶

CONSIDERING FURTHER that there are no exceptional reasons that require the *Nzabonimpa et al.* Decision of 23 March 2022 and the present Motion to remain confidential;

FINDING that, in these circumstances, it is appropriate to reclassify the *Nzabonimpa et al.* Decision of 23 March 2022 and the present Motion as public;

NOTING that the *Nzabonimpa et al.* Decision of 23 March 2022 disposed of two confidential and *ex parte* motions, including a confidential and *ex parte* corrigendum, filed by the *Amicus Curiae* on 28 February 2022 and 8 March 2022, respectively (collectively, “Underlying Motions”);⁷

¹ Order Assigning a Single Judge to Consider a Matter, 3 March 2025, p. 1. *See also* Decision Issuing Order in Lieu of Indictment, 25 February 2025, pp. 2-7; *Prosecutor v. Anselme Nzabonimpa et al.*, Case No. MICT-18-116-R90.1, Decision on Allegations of Contempt, 25 February 2025 (“Decision of 25 February 2025”), para. 41.

² Request for the Reclassification of a Decision, 20 March 2025 (confidential and *ex parte*) (“Motion”).

³ *See* Decision of 25 February 2025, para. 4, n. 12 (noting that the Registrar appointed Mr. Kenneth Scott as *amicus curiae* (“*Amicus Curiae*”) to conduct the investigation against Robinson).

⁴ Motion, pp. 1, 2, paras. 3, 6, n. 1, *referring to Prosecutor v. Anselme Nzabonimpa et al.*, Case No. MICT-18-116-R90.1, Decision on *Amicus Curiae*’s Motions for Access to Non-Public Material in the *Ngirabatware* Proceedings and Requests for Variation of Protective Measures, 23 March 2022 (confidential and *ex parte*) (“*Nzabonimpa et al.* Decision of 23 March 2022”).

⁵ Motion, para. 4.

⁶ *See Prosecutor v. Marie Rose Fatuma et al.*, Case No. MICT-18-116-A, Decision on Request for Reclassification of Confidential Filings in the *Nzabonimpa et al.* Case, 18 May 2022, p. 2, *referring to Prosecutor v. Radovan Karadžić*, Case No. MICT-13-55-A, Decision on a Motion for a Public Redacted Version of a Decision, 12 February 2019, p. 2 and references cited therein.

⁷ *See Nzabonimpa et al.* Decision of 23 March 2022, pp. 2, 3, nn. 11, 12, *referring, inter alia, to Prosecutor v. Anselme Nzabonimpa et al.*, Case No. MICT-18-116-R90.1, *Amicus Curiae*’s Motion for Access to Non-Public Material in Case No. MICT-12-29-R and Request for Variance of Protective Measures, 28 February 2022 (confidential and *ex parte*), *Prosecutor v. Anselme Nzabonimpa et al.*, Case No. MICT-18-116-R90.1, *Amicus Curiae*’s Motion for Access to Non-

CONSIDERING that the Underlying Motions include confidential information that should not be disclosed to the public;⁸

CONSIDERING, however, that it may be beneficial for Robinson to have access to the Underlying Motions;

FINDING that, in these circumstances, it is appropriate to, *proprio motu*, lift the *ex parte* status of the Underlying Motions and reclassify them as confidential;

FOR THE FOREGOING REASONS,

HEREBY GRANT the Motion; and

ORDER the Registry to reclassify the *Nzabonimpa et al.* Decision of 23 March 2022 and the Motion as public, and to lift the *ex parte* status of the Underlying Motions and reclassify them as confidential.

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

Done this 27th day of March 2025,
At Arusha,
Tanzania



Judge Joseph E. Chiondo Masanche
Single Judge

[Seal of the Mechanism]

Public Material in Case No. MICT-12-29 and Request for Variance of Protective Measures, 28 February 2022 (confidential and *ex parte*), *Prosecutor v. Anselme Nzabonimpa et al.*, Case No. MICT-18-116-R90.1, Corrigendum to “*Amicus Curiae*’s Motion for Access to Non-Public Material in Case No. MICT-12-29 and Request for Variance of Protective Measures” of 28 February 2022, 8 March 2022 (confidential and *ex parte*) (“Corrigendum of 8 March 2022”).

⁸ See Corrigendum of 8 March 2022, paras. 2-4.



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