



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 fugitive Phénéas Munyarugarama whose death was confirmed by the Office of the Prosecutor of the Mechanism on 18 May 2022 and whose proceedings before the Mechanism have now been terminated.

MICT-12-09

DECEASED - PHÉNÉAS MUNYARUGARAMA



Phénéas Munyarugarama held the rank of Lieutenant Colonel in the Rwandan Armed Forces (“FAR”) between early 1993 and 14 May 1994. He was the commander of Gako military camp and the highest-ranking military officer in the Bugesera region, Kigali-Rural *préfecture*.

Year and place of birth

1 January 1948, Kidaho *commune*, Ruhengeri *préfecture*, Rwanda.

Indictment

Initial indictment confirmed by a Judge of the ICTR on 4 March 2002.
Operative indictment confirmed by a Judge of the Mechanism on 13 June 2012.

Status of the Case

Terminated.

CASE BACKGROUND INFORMATION

INDICTMENT

Phénéas Munyarugarama was charged with genocide, complicity in genocide, direct and public incitement to commit genocide, as well as crimes against humanity, committed in Kigali-Rural *préfecture* in Rwanda in April and May 1994. During this period, Munyarugarama held the rank of Lieutenant Colonel in the FAR and was the commander of Gako military camp and the highest-ranking military officer in the Bugesera region, Kigali-Rural *préfecture*.

The operative indictment against Munyarugarama, dated 13 June 2012 (“Indictment”), alleges that on 10 April 1994, approximately 10 reservists were brought to Gako military camp and, in Munyarugarama’s presence and on his direction, were given weapons to harm and kill Tutsis. The Indictment also alleges that these weapons were later used by the reservists – acting in accordance with Munyarugarama’s design, instructions, prompting, encouragement, and assistance – to harm or kill Tutsis in the Bugesera region, including at roadblocks at Gahembe centre (Maranyundo *secteur*, Kanzenze *commune*), at Nyamata Church on or about 15 April 1994, and during searches for Tutsis in Maranyundo *secteur* between 15 and 20 April 1994.



According to the Indictment, between April and early May 1994, soldiers from Gako military camp, reservists and members of the national *gendarmérie*, *Interahamwe*, and armed Hutu civilians acted in accordance with Munyarugarama's design, instructions, prompting, encouragement and assistance, and launched large-scale attacks, killing and harming thousands of Tutsis who had sought refuge at various locations including the Kanzenze communal office (in Nyamata *secteur*), Nyamata Catholic Church (Kanazi *secteur*, Kanzenze *commune*), Ntarama Catholic Church (Ntarama *secteur*, Kanzenze *commune*), as well as Cyugaro primary school and the Ntarama swamps.

The Indictment further alleges that in April 1994, Munyarugarama, acting with others, dispatched soldiers from Gako military camp and, on certain occasions, *Interahamwe* and Hutu civilians, to harm and kill Tutsis who had sought refuge at various locations in the Bugesera region – including in Nyamata City, at a bar at the Gahembe trading centre in Muyange *cellule*, at the *Institut de Science et d'Agronomie Rurale* (Mwendo *secteur*), on Kayumba hill, on Rebero hill, at the office of the *Sous-préfet* of Nyamata, and at Nyamata hospital – and to loot the property of Tutsis.

One count of genocide (Count 1)

One count of complicity in genocide (Count 2)

One count of direct and public incitement to commit genocide (Count 3)

Four counts of crimes against humanity

- Extermination (Count 4)
- Murder (Count 5)
- Persecution (Count 6)
- Rape (Count 7)

REFERRAL OF CASE TO RWANDA

On 28 June 2012, a Chamber of the ICTR ordered that the case of Phénéas Munyarugarama 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 Munyarugarama to the custody of the National Public Prosecution Authority of Rwanda.

According to UN Security Council Resolution 1966 (2010), all States have an obligation to cooperate with the Mechanism in the location, arrest, detention, surrender, and transfer of accused persons who are still at large.

On 18 May 2022, the Office of the Prosecutor of the Mechanism confirmed the death of Munyarugarama. On 16 December 2022, a Single Judge of the Mechanism, Judge William H. Sekule, found that the Office of the Prosecutor of the Mechanism had presented sufficient information to establish that Munyarugarama was deceased and, notwithstanding any possible termination of the case against Munyarugarama before a court in Rwanda, terminated the proceedings against Munyarugarama before the Mechanism.

For more information please visit the Mechanism website www.irmct.org.
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