

The International Residual Mechanism for Criminal Tribunals

In the office of the President.

Before : The President : Judge Theodor Meron.

Registrar: Mr. Olufemi Elias

Filed on 23rd of June 2018.

Hassan Ngeze's motion for reconsideration of the president decision dated 22 June 2018
Now Hassan Ngeze seeking the extradition of 72 hours from mali prison to Belgium prison, to enable
Hassan Ngeze to attend the funeral of his son Dr. Thomas Ngeze in Kingdom of Belgium then be back to
Mali to serve his sentence.

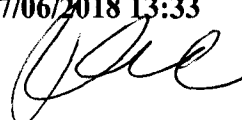
The Office of the Persecutor

Mr. Serge Brammertz.

Counsel for the defense

Ms. Mirjana VuKajlovic

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International Residual Mechanism for Criminal Tribunals
27/06/2018 13:33



Honorable Theodor Meron,

Now Hassan Ngeze is filing before your honorable Seat, the motion of reconsideration of the president decision dated 22 June 2018, now Hassan Ngeze seeking the extradition of 72 hours from Mali prison to Belgium prison, to enable Hassan Ngeze to attend the funeral of his son Dr. Thomas Ngeze in Kingdom of Belgium then be back to Mali to serve his sentence.

This motion is not in any way a short release, or any kind of freedom, but the facility of attending the burial of Hassan Ngeze son during the seventy two hours requested here in.

The place of resident of Hassan Ngeze will be in Belgium prison under the rules of Belgium prison.

Hassan Ngeze believes that if is well organized, seventy two hours of time (72 hours) will be enough from extradition from Mali Prison to Belgium prison, and attend the funeral of his son, then return to Mali to serve the remain of the sentence.

This procedure as stated above, is not a request for short release, it does not give any kind of freedom to prisoner, except allowing him to attend the funeral of his son for few hours and under the escort of the security officers from the mechanism.

The extradition and transfer should specify the follow:

The Prisoner Hassan Ngeze to be extradite from Koulikoro prison in Mali, to Belgium Prison, then the following day, the prisoner be escorted by the officers in charge of security to the place of funeral, attend the ceremonial of burial , then return to Belgium prison the same days, of be taken to the airport for flying back to Mali the same days after the funeral.

There will not be any other ceremonial or circumstances for which the prisoner Hassan Ngeze will attend , apart from the immediate returning to Mali , in Kolikoro prison to serve the remain of his sentence

In the past, there has been several cases in which the ICTR Present has decided the extradition and transfer of prisoners from one prison to another prison in different countries for various reasons, including appearing before the tribunal of for medical reasons.

The president did not consult the host countries, but asked them to comply with his decision.

Few illustrations:

The case of Jean Kambanda.

Jean Kambanda, has been extradited from Arusha Prison to mali Prison for the purpose of giving testimonies before the court.

Jean Kambanda, has been extradited from Mali Prison to The Hague, Netherlands

Jean Kambanda, has been extradited from the Hague, Netherlands Prison to Mali Prison

The case of Alfred Musema.

Alfred Mousema has extradited from Arusha Prison to the Hague Prison for the hearing of his case

After the hearing of his judgment, Alfred Musema has been extradited from the Hague prison to arusha Prison to serve his sentence

Jean de Dieu Kamuhanda, has been extradited from Arusha prison to prison to the Hague prison for hearing his case;

After the hearing of his judgment Jean de Dieu Kamuhanda, has been extradited from the Hague prison to Arusha prison to serve his sentence.

In the year 2010, Hassan Ngeze has been extradited from mali Prison to Arusha prison to testify in Joseph Nzirorera case.

After the testimony, Hassan Ngeze returned to Mali prison

Eliezer Niyitegeka was extradited from Mali Prison and was transferred to arusha prison to give testimony in the case of Joseph Nzirorera before the tribunal, after the testimony, he returned in mali to serve his sentence.

Dr. Clement kayishema, was extradited from Mali Prison and was transferred to arusha prison to give testimony in the case of Joseph Nzirorera before the tribunal, after the testimony, he returned in mali to serve his sentence.

Laurent Semanza was extradited from Mali Prison and was transferred to arusha prison to give testimony in the case of Joseph Nzirorera before the tribunal, after the testimony, he returned in mali to serve his sentence.

Omar serushago was extradited from Arusha Prison, to mali prison , then after, from Arusha Prison to mali Prison.

Jean Paul Akayesu, has been extradited and transferred from mali Prison to Arusha prison under the order of the president for giving testimony in the case known as government case.

After the testimony, Jean Paul Akayesu returned to Mali to serve his case.

All these extradition and transfer were made only under the president decision.

The Malian Government was only informed, and was requested to obey the President decision of extradition and transfer.

The word extradition goes with the word transfer to and from, in this logic.

The word Arusha Prison goes with the word Arusha detention center. (UNDF°)

The word the Hague prison goes with the word the Hague detention center. .

It is only the president of the mechanism who has the power to decide on a transfer or extradition of a prisoner who has been convicted by the ICTR and the mechanism.

The Registrar of the mechanism has the professional securities officers who are well experienced in arranging such transfer in short time of period.

Prayer:

1. Hassan Ngeze humbly request the president to accept 72 hours of times for the extradition and transfer from Koulikoro Prison to Belgium prison and return from Belgium to koulikoro prison for the purpose of attending the funeral of his son Dr. Thomas Ngeze.
2. Any other order that suits the situation.
3. To establish a temporally measures that will allow Hassan Ngeze to be under the full care of the mechanism in term of funeral of his son Dr. Thomas Ngeze.

Hassan Ngeze.





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Case Name/ Affaire:	Hassan Ngeze		Case Number/ Affaire No: MICT-13-37-ES.2
Date Created/ Daté du:	23 Jun 2018	Date transmitted/ 2018:	23 Jun 2018
Original Language / Langue de	<input checked="" type="checkbox"/> English/ <i>Anglais</i>	<input type="checkbox"/> French/ <i>Français</i>	<input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Albanian/ <i>Albanais</i>
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