

ICTR-96-7-I  
10.8.1996  
(29-27)

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UNITED NATIONS  NATIONS UNIES  
INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

Case N°: ICTR-96-7-I

THE PROSECUTOR  
AGAINST  
THÉONESTE BAGOSORA

THE JUDGE

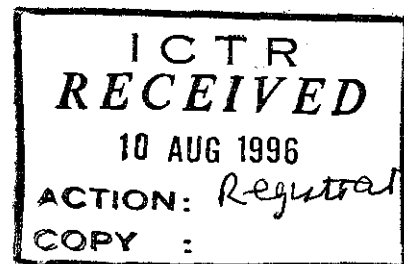
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DECISION:

CONFIRMATION OF THE INDICTMENT

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10 August 1996



**Before:** Judge Lennart Aspegren  
**On behalf of the Registrar:** Frederik Harhoff

**DECISION ON THE CONFIRMATION OF THE INDICTMENT  
AGAINST THÉONESTE BAGOSORA**

The International Criminal Tribunal for Rwanda, sitting as Judge Lennart Aspegren, designated by the President of the Tribunal,

UPON RECEIVING on 9 August 1996 from the Prosecutor Richard Goldstone, represented by Jonah Rahetlah, the attached indictment, pursuant to Articles 17 and 18 of the Statute of the Tribunal, and Rule 47 of the Rules of Procedure and Evidence of the Tribunal,

AND UPON HEARING the Prosecutor, in Arusha on 9 August 1996, pursuant to Rule 47(D) of the Rules,

NOTING the decision rendered by the Tribunal on 17 May 1996 for the Kingdom of Belgium to defer to the competence of the Tribunal in relation to all investigations and criminal proceedings being conducted in the matter of **Théoneste Bagosora**, and the decision of 9 July 1996 rendered by the Belgian *Cour de cassation*, confirming the deferral,

CONSIDERING the decision rendered by the Tribunal on 17 May 1996 for the detention on remand for a maximum period of thirty days and transfer to the Tribunal's Detention Unit of **Théoneste Bagosora**,

CONSIDERING FURTHER the decision rendered by the Tribunal on 18 June 1996 for the continued detention on remand of **Théoneste Bagosora** for another maximum period of thirty days,

CONSIDERING LASTLY the decision rendered by the Tribunal on 15 July 1996 for the continued detention on remand of **Théoneste Bagosora** for a third and final maximum period of thirty days,

NOTING that **Théoneste Bagosora** is to date being detained in Yaoundé by the Cameroonian authorities,

**THE TRIBUNAL**

PURSUANT TO Articles 17 and 18 of the Statute and Rules 28 and 47(D) of the Rules,

HOLDS that from the materials tendered by the Prosecutor, the Tribunal is satisfied that a *prima facie* case has been established with respect to each and every count as set out in the indictment, and that the acts charged fall within the jurisdiction of the Tribunal,

CONFIRMS the indictment submitted by the Prosecutor, with respect to each and every count of the indictment,

ORDERS, after consultation with the Prosecutor, that there be no public disclosure of the Supporting Documentation submitted with the indictment, pursuant to Rule 53(B) of the Rules,

AND NOTES the prayer of the Prosecutor that an appropriate warrant of arrest for the accused be issued.

The Tribunal requests the Registrar to notify the Cameroonian Government, then to notify the accused, **Théoneste Bagosora**, and to inform the Belgian and Rwandan Governments of this Decision.

Arusha, 10 August 1996

For the Tribunal,

*Lennart Aspegren*

Lennart Aspegren  
Judge

