



UNITED NATIONS
NATIONS UNIES

**International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda**

OR : ENG

Before : Judge Erik Møse

Registrar : Mr Adama Dieng

Decision of : 23 July 2001

**THE PROSECUTOR
VERSUS
JEAN MPAMBARA
Case No. ICTR-2001-65-I**

DECISION CONFIRMING THE INDICTMENT

Office of the Prosecutor:

Mr Ken Fleming
Ms Holo Makwaia

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA ("the Tribunal"),

SITTING AS Judge Erik Møse, designated pursuant to Rule 28 of the Rules of Procedure and Evidence ("the Rules");

CONSIDERING the *ex parte* application made by the Prosecutor for the review and the confirmation of an indictment against **Jean Mpambara**, dated 19 July 2001, the supporting material submitted on 20 July 2001, and Explanatory Notes to the indictment, received on 21 July 2001;

HAVING HEARD the Prosecutor during a confirmation hearing held on 23 July 2001;

CONSIDERING that during the hearing the Tribunal requested the Prosecutor to effect a number of corrections to the indictment and that the Prosecutor complied;

CONSIDERING Articles 17 and 18 of the Statute and Rule 47 of the Rules;

BEING SATISFIED from the material tendered by the Prosecutor that there is sufficient evidence to provide reasonable grounds for believing that **Jean Mpambara** has committed crimes within the jurisdiction of the Tribunal, and is thereby convinced that a *prima facie* case has been established with respect to the count of Genocide as set out in the indictment;

NOTING that at the hearing on 23 July 2001 the Prosecutor withdrew her request for an extension of the provisional detention order under Rule 40 bis, as the indictment would be confirmed before the expiry of the current detention order;

HEREBY

CONFIRMS the indictment submitted by the Prosecutor against **Jean Mpambara** with respect to the count of Genocide;

ORDERS, pursuant to Rule 70 of the Rules, that Explanatory Notes that have been made available to the Confirming Judge to facilitate the confirmation hearing, being internal working documents of the Prosecutor, are not subject to the disclosure provisions of Rule 66 and shall be returned to the Prosecutor.

Arusha, 23 July 2001

Erik Møse
Judge

(Seal of the Tribunal)