

ICTR-2001-74-I
2-8-2001
(336-335)

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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: 2 August 2001

JUDICIAL RECORDS SECTION
ICTR
2001 AUG -2 P 4: 35
Adama Dieng

THE PROSECUTOR
VERSUS
FRANCOIS KARERA
Case No. ICTR-2001-74-I

DECISION CONFIRMING THE INDICTMENT

Office of the Prosecutor:

Mr Charles Adeogun-Phillips
Mr Wallace Kapaya
Ms Boi-Tia Stevens

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda
CERTIFIED TRUE COPY OF THE ORIGINAL SEEN BY ME
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NAME / NOM: **KOFFI KUMELIO A. AFANDE**
SIGNATURE: *[Signature]* DATE: **2-8-2001**

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 **François Karera**, the supporting material and the Explanatory Notes to the indictment, filed on 30 July 2001;

HAVING HEARD the Prosecutor during a confirmation hearing held on 1 August 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 **François Karera** 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 counts of Genocide, or in the alternative, Complicity in Genocide, and Crimes against Humanity (Extermination), or in the alternative, Crimes against Humanity (Murder), as set out in the indictment;

HEREBY

CONFIRMS the indictment submitted by the Prosecutor against **François Karera** with respect to the count of Genocide, or in the alternative, Complicity in Genocide, and Crimes against Humanity (Extermination), or in the alternative, Crimes against Humanity (Murder), as set out in the indictment;

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.

ORDERS, pursuant to Rule 53 of the Rules, for the non-disclosure to the public, including the media or any public record, of the indictment or any part thereof or information pertaining to the indictment until further order of the Tribunal.

Arusha, 2 August 2001.



Erik Møse
Judge

(Seal of the Tribunal)

