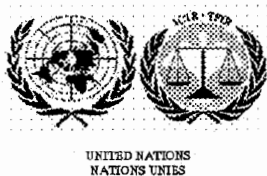


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ICTR-04-81-1
22-03-2004
(260-257)



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

260
S. Muzga

TRIAL CHAMBER I

Before: Judge Sergei Alekseevich Egorov

Registrar: Adama Dieng

Date: 22 March 2004

THE PROSECUTOR
v.
Ephrem SETAKO

2004 MAR 22 P 10:25
[Handwritten signature]

Case No. : ICTR-2004-81 -I

DECISION ON CONFIRMATION OF AN INDICTMENT AGAINST EPHREM SETAKO

The Office of the Prosecutor

Mr. Don Webster

SE

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

SITTING as Judge Sergei Alekseevich Egorov, confirming judge, as designated by the President of the Tribunal pursuant to Rule 28 of the Tribunal's Rules of Procedure and Evidence ("Rules");

BEING SEIZED of the Prosecutor's request to confirm an indictment against Ephrem Setako pursuant to Rule 47 filed on 16 March 2004 in the form of a letter to the President of the Tribunal;

HAVING CONSIDERED the original indictment against Ephrem Setako and its supporting materials filed on 16 March 2004;

HAVING HEARD the Prosecutor in an *ex parte* hearing on 22 March 2004 pursuant to Rule 47(D);

HAVING ADJOURNED the review so as to give the Prosecutor the opportunity to modify the indictment pursuant to Rule 47(F)(i);

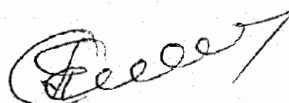
HAVING CONSIDERED the indictment against Ephrem Setako, as modified, and additional supporting materials filed on 22 March 2004;

BEING SATISFIED that the Prosecutor has established a *prima facie* case as required by Article 18 of the Statute for the six counts of genocide, complicity to commit genocide, murder as a crime against humanity, extermination as a crime against humanity, as well as serious violations of Common Article 3 to the Geneva Conventions and Additional Protocol II thereto;

THE TRIBUNAL THEREFORE CONFIRMS all six counts set forth in the indictment against Ephrem Setako filed on 22 March 2004; and

ORDERS that the confirmed indictment be served on the accused as soon as possible in a language that he understands.

Arusha, 22 March 1994



Sergei Alekseevich Egorov
Confirming Judge

[Seal of the Tribunal]

