



UNITED NATIONS  
NATIONS UNIES

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

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OR: ENG

**OFFICE OF THE PRESIDENT**

**Before:** Judge Dennis C. M. Byron, President of the Tribunal

**Registrar:** Adama Dieng

**Date:** 02 October 2007

**THE PROSECUTOR**

v.

**Idelphonse HATEGEKIMANA**

*Case No. ICTR-2000-55-I*

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**DESIGNATION OF A TRIAL CHAMBER FOR THE REFERRAL OF THE CASE  
OF IDELPHONSE HATEGEKIMANA TO RWANDA**

*Rule 11 bis of the Rules of Procedure and Evidence*

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**Office of the Prosecutor:**

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**Defence Counsel:**

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1. On 7 September 2007, the Prosecutor filed a motion seeking the referral of the case of Idelphonse Hategekimana to the authorities of Rwanda, under Rule 11 *bis* of the Rules of Procedure and Evidence (“Rules”).<sup>1</sup>

2. According to that provision of the Rules, after an indictment against an accused has been confirmed, the President of the Tribunal may designate a Trial Chamber for the purpose of referring a case to the authorities of a State in whose territory the crime was committed, in which the accused was arrested, or having jurisdiction and being willing and adequately prepared to accept such a case.

3. In the present case, the Indictment against Idelphonse Hategekimana was confirmed on 2 February 2000, and the Accused is being held at the Tribunal’s detention facility in Arusha.

4. In view of the Prosecutor’s submission and after considering Rules 19 (A) and 27 (C) which confer on the President the responsibility of coordinating the work of Chambers and the composition and re-composition of Trial Chambers for the efficient judicial administration of the Tribunal, the President is of the view that a referral bench may be designated under Rule 11 *bis* of the Rules.

**FOR THE ABOVE REASONS, THE PRESIDENT**

**I. GRANTS** the Prosecutor’s request to designate a referral bench; and

**II. DECIDES** that Trial Chamber III, comprising Judges Khalida Rachid Khan, presiding, Joseph Asoka Nihal De Silva, and Emile Francis Short, will determine the matter in accordance with Rule 11 *bis* of the Rules.

Arusha, 02 October 2007, done in English.

Dennis C. M. Byron

President

[Seal of the Tribunal]

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<sup>1</sup> *Prosecutor’s Request for the Referral of the Case of Idelphonse Hategekimana to Rwanda Pursuant to Rule 11 bis of the Tribunal’s Rules of Procedure and Evidence*, filed on 7 September 2007.