

ICTR-97-36A-1  
02-10-2007  
(340-339)

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UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

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.

**Yussuf MUNYAKAZI**

*Case No. ICTR-97-36A-1*



**DESIGNATION OF A TRIAL CHAMBER FOR THE REFERRAL OF THE CASE  
OF YUSSUF MUNYAKAZI TO RWANDA**

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

**Office of the Prosecutor:**

Hassan Bubacar Jallow  
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**Defence Counsel:**

Jwani Timothy Mwaikusa  
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1. On 7 September 2007, the Prosecutor filed a motion seeking the referral of the case of Yussuf Munyakazi 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 Yussuf Munyakazi was confirmed on 27 November 2002, 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 Inés Mónica Weinberg de Roca, presiding, Lee Gacuga Muthoga, and Robert Fremr, 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]



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