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ICTR-00-61-  
08-04-2008  
(1887-1886)



UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

1887

S. Mwanza

OR: ENG

**OFFICE OF THE PRESIDENT**

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

**Registrar:** Adama Dieng

**Date:** 8 April 2008

JUDICIAL RECORDS ARCHIVE  
2008 APR - 8 - 10:40:08

**THE PROSECUTOR**

v.

**Jean-Baptiste GATETE**

*Case No. ICTR-00-61-R11bis*

**ORDER ASSIGNING TO TRIAL CHAMBER I THE  
MOTION FOR REFERRAL TO RWANDA**

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

**Office of the Prosecutor:**

Hassan Bubacar Jallow      Bongani Majola  
Silvana Arbia              Alex Obote-Odora  
Richard Karegyesa        George Mugwanya  
Inneke Onsea              Francois Nsanzuwera  
Florida Kabasinga

**Defence Counsel:**

Richard Dubé  
Julie Veillette

1586


1. On 28 November 2007, the Prosecutor filed a "Request for the Referral of the Case of *Jean-Baptiste Gatete* to Rwanda Pursuant to Rule 11*bis* of the Tribunal's Rules of Procedure and Evidence".
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, an Indictment was confirmed on 19 December 2000.<sup>1</sup> Leave to amend it was later granted on 21 April 2005, and the Prosecutor has filed the amended Indictment on 10 May 2005.
4. In view of the submissions of the Prosecutor 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 THOSE REASONS,**

**THE PRESIDENT**

- I. **GRANTS** the Prosecution Motion for the designation of a Trial Chamber;
- II. **DESIGNATES** Trial Chamber I composed of Judges Erik Møse, Sergei Alekseevich Egorov and Florence Rjta Arrey to determine the matter in accordance with Rule 11*bis* of the Rules.

Arusha, 8 April 2008, done in English.

  
Dennis C. M. Byron  
President  


<sup>1</sup> *The Prosecutor v. Jean-Baptiste Gatete*, Case No. ICTR-2000-59-), Confirmation of the Indictment (Judge Pillay), 19 December 2000.