



International Residual Mechanism  
for Criminal Tribunals

Case No. MICT-18-116  
Date: 24 August 2018  
Original: English

**BEFORE A SINGLE JUDGE**

Before: Judge Seon Ki Park  
Registrar: Mr. Olufemi Elias  
Order of: 24 August 2018

PROSECUTOR

v.

MAXIMILIEN TURINABO  
ANSELME NZABONIMPA  
JEAN DE DIEU NDAGIJIMANA  
MARIE ROSE FATUMA  
DICK PRUDENCE MUNYESHULI

DECLASSIFIED IN  
ACCORDANCE WITH ORDER  
DATED 18 SEPTEMBER 2018

STRICTLY CONFIDENTIAL

EX - PARTE

*STRICTLY CONFIDENTIAL AND EX PARTE*

ORDER ON CONFIRMATION OF INDICTMENT

**The Office of the Prosecutor:**

Mr. Serge Brammertz  
Mr. Mathias Marcussen

Received by the Registry  
International Residual Mechanism for Criminal Tribunals  
24/08/2018 15:52

**I, SEON KI PARK**, Judge of the International Residual Mechanism for Criminal Tribunals (“Mechanism”) and Single Judge designated by the President pursuant to Articles 1(4) and 17(1) of the Statute and Rule 48(A) of the Rules of Procedure and Evidence (“Rules”) to review an indictment and supporting materials and adjudicate related requests;

**BEING SEISED OF** the Prosecution’s strictly confidential and *ex parte* request for confirmation of an indictment and for related orders submitted to me on 14 June 2018;<sup>1</sup>

**HAVING SOUGHT** further clarification from the Prosecution on 11 July 2018 through a strictly confidential and *ex parte* internal memorandum (“Memorandum of 11 July 2018”);

**NOTING** the Prosecution’s response to the Memorandum of 11 July 2018 and the additional supporting material submitted by the Prosecution on a strictly confidential and *ex parte* basis on 18 July 2018 (collectively, “Response of 18 July 2018”);

**NOTING** the follow-up meeting held on 19 July 2018 between the Senior Legal Officer of the Chambers Legal Support Section and the Prosecution;

**HAVING DELIBERATED ON** the Submission and Supporting Material, Indictment, and Response of 18 July 2018;

**BEING SATISFIED** that, in accordance with Article 17(1) of the Statute and Rule 48(E) of the Rules, the Prosecution has established a *prima facie* case for: (i) contempt of the International Criminal Tribunal for Rwanda (“ICTR”) and the Mechanism pursuant to Article 1(4)(a) of the Statute and Rule 90(A)(iv) of the Rules (Count 1), and/or incitement to commit contempt of the ICTR and the Mechanism pursuant to Article 1(4)(a) of the Statute and Rules 90(A)(iv) and (B) of the Rules (Count 2) as alleged against Maximilien TURINABO, Anselme NZABONIMPA, Jean De Dieu NDAGIJIMANA, and Marie Rose FATUMA; and (ii) contempt of the ICTR and the Mechanism pursuant to Article 1(4)(a) of the Statute and Rules 90(A)(ii) and/or (iii) of the Rules (Count 3) as alleged against Dick Prudence MUNYESHULI and Maximilien TURINABO (individually and collectively, “Accused”);

**HEREBY CONFIRM** the Indictment;

**ORDER** that, pursuant to Rules 48(G) and 54 of the Rules, the Registrar shall create certified copies of the Indictment, bearing the seal of the Mechanism, that shall be served on the Accused at

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<sup>1</sup> See Submission of Indictment and Supporting Materials for Review and Request for Related Orders, 14 June 2018 (strictly confidential and *ex parte*) (“Submission and Supporting Material”); Indictment, 5 June 2018 (strictly confidential) (“Indictment”).

the time the Accused are taken into custody, or as soon as reasonably practicable thereafter, in a language that the Accused understand;

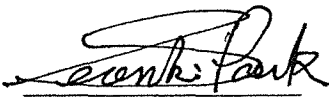
**FURTHER ORDER** that, pursuant to Rules 53 of the Rules, with the exception of the relevant authorities of the Republic of Rwanda, the Indictment shall remain under seal until it is served on all of the Accused and that, thereafter, the Indictment shall remain strictly confidential until further order by the appropriate Single Judge or Chamber of the Mechanism;

**FURTHER ORDER** that, pursuant to Rule 53(A) of the Rules, all remaining strictly confidential and *ex parte* materials provided by or to the Prosecution during the confirmation process shall retain such classification and shall not be disclosed until further order by the appropriate Single Judge or Chamber of the Mechanism; and

**FURTHER ORDER** the arrest of the Accused, their detention, and transfer to the United Nations Detention Facility at the Arusha Branch of the Mechanism, as well as the search and seizure of evidence, the details of which will be set forth in separate orders.

Done in English and French, the English version being authoritative.

Done this 24th day of August 2018,  
At Arusha,  
Tanzania

  
Judge Seon Ki Park  
Single Judge

[Seal of the Mechanism]





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Case Name/ Affaire :	Prosecutor v. Maximilien Turinabo et al.	Case Number/ Affaire n° :	MICT-18-116
Date Created/ Daté du :	24 August 2018	Date transmitted/ Transmis le :	24 August 2018
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		<input type="checkbox"/> Other/Autre (specify/préciser) :	
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Rev: July 2018/ Rév. : juillet 2018