

ICTR-96-8-1
3:12:96

33
m2

(33-32)

UNITED NATIONS  NATIONS UNIES

International Criminal Tribunal for Rwanda
CHAMBER 2

OR: ENG

Before: Judge Yakov A. Ostrovsky, Presiding Judge
Judge Lemart Aspegren
Judge Navanethem Pillay

Registry: Ms. Prisca M. Nyambe
Mr. Jean-Pelé Fomété
Ms. Cécile Aptel

Decision of: 29 November 1996

THE PROSECUTOR
versus
Elie NDAYAMBAJE

Case No.: ICTR-96-8-1

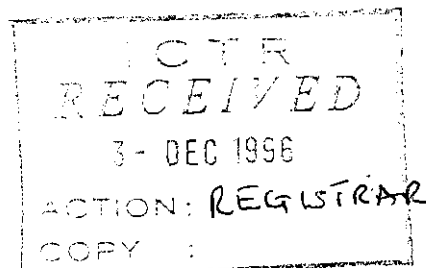
DECISION FOLLOWING THE INITIAL APPEARANCE

The Office of the Prosecutor:

Mr. Yacob Haile-Mariam
Mr. Pierre-Richard Prosper
Mr. Robert Petit
Ms. Adelaide E. Whest

Counsel for the Accused:

Mr. Charles Tchoungang



48

32
mat

Case No.: ICTR-96-8-I

THE TRIBUNAL, sitting as Trial Chamber 2 composed of Judge Yakov A. Ostrovsky, Presiding Judge, Judge Lennart Aspegren and Judge Navanethem Pillay;

CONSIDERING the indictment against Elie Ndayambaje submitted by the Prosecutor and confirmed by Judge Tafazzal H. Khan on 20 June 1996, who issued a warrant of arrest and order for surrender of the accused on that same date;

TAKING NOTE of the transfer of the accused to the Tribunal's Detention Unit on 8 November 1996;

CONSIDERING the initial appearance of the accused this 29 November 1996 before this Chamber;

BEING OF THE OPINION that the Registrar's assignment of Mr. Charles Tchoungang as defense counsel for the accused was in strict conformity with Article 20 of the Statute of the Tribunal, Rule 45 (C) of the Rules of Procedure and Evidence ("the Rules") and Article 10 of the Directive of Assignment of Defence Counsel;

GIVEN THAT, during the initial appearance, the accused pleaded not-guilty to all of the five counts in the indictment;

PURSUANT TO Rule 62 and the following rules in the Rules;

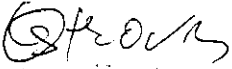
THE TRIBUNAL DECIDES

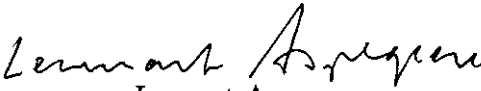
TO FIX the date of the trial on the merits for Tuesday, 20 May 1997, at 9:30 hours;

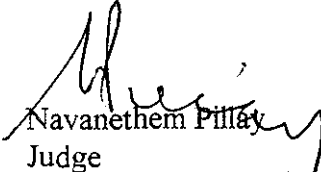
TO ORDER the Prosecution to ensure that the defense counsel is in possession no later than 14 January 1997 of the supporting material and all existing evidence to be brought against the accused, i.e. at least 7 days before the status conference between the parties scheduled for 21 January 1997; and

TO MAINTAIN THE DETENTION ON REMAND of Elie Ndayambaje and to enjoin the Commanding Officer of the Tribunal's Detention Unit to continue to detain him until further order.

Arusha, 29 November 1996


Yakov A. Ostrovsky
Presiding Judge


Lennart Aspegren
Judge


Navanethem Pillay
Judge



409