

UNITED NATIONS  NATIONS UNIES

International Criminal Tribunal for Rwanda

TRIAL CHAMBER II

OR: ENG

Before: Judge William H. Sekule, Presiding
Judge Yakov Ostrovsky
Judge Pavel Dolenc

Registrar: Dr. Agwu Ukiwe Okali

Decision of: 1 September 1999

THE PROSECUTOR
v.
LAURENT SEMANZA

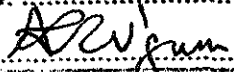
Case No. ICTR-97-20-I

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**DECISION ON THE "MOTION BY THE OFFICE OF THE
PROSECUTOR FOR LEAVE TO AMEND THE INDICTMENT"**

The Office of the Prosecutor:
David Spencer
Chile Eboe-Osuji

Counsel for Laurent Semanza:
André Dumont

International Criminal Tribunal for Rwanda Tribunal pénal international pour le Rwanda	
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NAME / NOM:	AMINATTA L. R. N'GUM
SIGNATURE:	 DATE: 02/09/99

Case No. ICTR-97-20-I

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (TRIBUNAL),

SITTING as Trial Chamber II, composed of Presiding Judge William H. Sekule, Judge Yakov Ostrovsky and Judge Pavel Dolenc, as designated by the President, in place of Judge Tafazzal H. Khan whose mandate from the Security Council has expired;

CONSIDERING the Statute of the Tribunal and the Rules of Evidence and Procedure;

NOTING the Order for Transfer and Provisional Detention (Rule 40*bis*), by Judge Lennart Aspegren on 3 March 1997;

NOTING the Warrant of Arrest and Order for Surrender, by Judge Lennart Aspegren on 23 October 1997;

CONSIDERING the Indictment against Laurent Semanza (Semanza), filed 21 October 1997 (English version), and confirmed on 23 October 1997 by Judge Lennart Aspegren;

NOTING Semanza's initial appearance on 16 February 1998 and not guilty pleas to all seven counts;

CONSIDERING the "*Motion by the Office of the Prosecutor for Leave to Amend the Indictment*," of 31 May 1999 (Motion) and the attached proposed "*First Amended Indictment*" seeking to amend and add seven new counts under Rule 50;

CONSIDERING the parties' submissions on the Motion at the hearing on 18 June 1999;

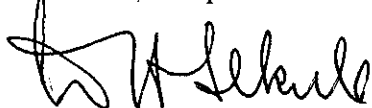
CONSIDERING that the defence did not object to the Motion at the hearing;

CONSIDERING the oral decision to grant the Motion at the hearing on 18 June 1999;

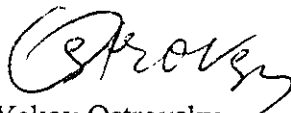
NOTING that the oral decision to grant the Motion included an order to the prosecution to put more information in the statement of concise facts contained in the Indictment, in particular with regard to the new charges based on Common Article 3 and Additional Protocol II;

AFTER HAVING DELIBERATED, the Tribunal **GRANTS** the prosecutor's motion for leave to amend with the understanding that the prosecutor will provide greater specificity as to facts relating to the new charges.

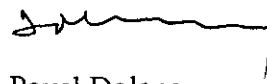
Arusha, 1 September 1999



William H. Sekule
Judge, Presiding



Yakov Ostrovsky
Judge



Pavel Dolenc
Judge

Seal of the Tribunal

