



UNITED NATIONS
NATIONS UNIES

**International Criminal Tribunal for Rwanda
Tribunal Pénal International pour le Rwanda**

Arusha International Conference Centre
P.O.Box 6016, Arusha, Tanzania - B.P. 6016, Arusha, Tanzanie
Tel: 255 57 504207-11 504367-72 or 1 212 963 2850 Fax: 1 212 963 7365
E-mail Pillayn@un.org/Hatendi@un.org

2268
du

Office of the President
Bureau du Président

Before: Judge Navanethem Pillay
President

Registrar: Agwu U. Okali

Decision of: 11 July 2000

ICTR-97-23-A
11th July 2000
(2268-2267)

**JEAN KAMBANDA
(THE APPELANT)**

V

**THE PROSECUTOR
(THE RESPONDENT)**

Case No: ICTR-97-23-A

2000 JUL 11 P 2 22
ICTR
COURT RECEIVED
REGISTRY

**DECISION OF PRESIDENT RELATING TO CONDITIONS OF DETENTION PENDING
APPEAL**

Counsel for the Defence:

Mr. Tjarda E. Van der Spoel
Lead Counsel
Prof. Mr. Gerard P.M.F. Mols
Co-Counsel

Office of the Prosecutor:

Mr. Solomon Loh
Senior Appeals Counsel

2267

Before the Tribunal,
Sitting in the person of Judge Navanethem Pillay, President.

-On 15 June 2000, Counsel for Mr. Jean Kambanda filed a motion with the President in which it is stated inter-alia:

-Mr. Kambanda's appeal is scheduled for hearing on June 27-30 2000 and the decision of the Appeal Chamber is pending.

-By order of Judge Laïty Kama, then President of the ICTR, dated 25 November 1997, Mr. Kambanda is detained in the UNDF of ICTY in the Netherlands.

-By letter dated 24 April 2000, addressed by the Prosecutor to the Registrar of ICTR, Mr. Agwu U. Okali, and copied to Mr. Kambanda, the Prosecutor informed the Registrar about the new situation relating to Mr. Kambanda's change of plea and withdrawal of co-operation which may have implications on the question of Mr. Kambanda's custody.

-In his motion, Mr. Kambanda states that the situation has not changed and that the safety measures are still required.

-He requests that if a request is made to change or modify the custodial order, he and his counsel should be given an opportunity to be heard prior to a change of the order.

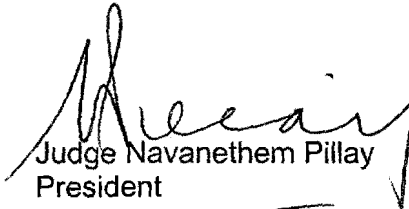
After inquiry,

I note that no request has been addressed to me either by the Prosecutor or the Registrar for a change or modification of the order dated 25 November 1997, issued by Judge Laïty Kama, the former President of ICTR.

-In the event, the anticipatory relief claimed by the Appellant does not warrant consideration at this stage.

-It is noted that upon disposal of the appeal, the altered situation will compel a review of the earlier order relating to conditions of detention. Pending the decision of the Appeal Chamber, the order of detention dated 25 November 1997 will remain applicable.

Dated this 11th day of July 2000


Judge Navanethem Pillay
President

Seal of the Tribunal