

ICTR-05-82-1
27-04-2007
(54-53)



UNITED NATIONS
NATIONS UNIES

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

54
S. Nkunda

TRIAL CHAMBER I

Original: English

Before: Judge Jai Ram Reddy
Registry: Adam Dieng
Date: 27 April 2007

THE PROSECUTOR
v.
DOMINIQUE NTAWUKURIRYAYO

Case No. ICTR-2005-82-I

2007 APR 27 11:40:12
JUDICIAL RECORDS/ARCHIVES
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DECISION ON PROSECUTOR'S MOTION TO UNSEAL THE
INDICTMENT AND WARRANT OF ARREST

The Office of the Prosecutor:
Jonathan Moses
Katya Melliush
Ignacio Tredici

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (the "Tribunal"),

SITTING as Judge Jai Ram Reddy, confirming judge;

BEING SEIZED of the "Prosecutor's Urgent Ex-Parte Motion to Rescind the Nondisclosure Order of [13] June 2005 Relating to the Indictment and Warrant for Arrest", filed on 26 April 2007;

HAVING CONSIDERED the Indictment against Dominique Ntawuriryayo, filed on 13 June 2005 and confirmed on 13 June 2005, as well as the Warrant of Arrest, issued on 21 September 2006;

HAVING CONSIDERED Rules 52 and 53 of the Tribunal's Rules of Procedure and Evidence (the "Rules");


HEREBY DECIDES the motion.

1. In its initial request for confirmation, the Prosecution requested that the Indictment and the Warrant of Arrest against Dominique Ntawuriryayo be placed under seal. In accordance with Rule 53 and in the interests of justice, the confirming judge granted this request and ordered the non-disclosure of the Indictment and all related orders as well as all supporting materials to the Indictment as part of its confirmation decision of 13 June 2005.
2. The Prosecution has now made an application to have the Indictment and the Warrant of Arrest unsealed on the grounds that the interests of justice are not served by keeping the information from the public.
3. In the Tribunal's view, non-disclosure measures are no longer necessary with regard to the Indictment and the Warrant of Arrest. The Tribunal maintains, however, the protective measures ordered in connection with the supporting materials to the Indictment.

FOR THE ABOVE REASONS, THE TRIBUNAL

ORDERS the unsealing of the Indictment and Warrant of Arrest against Dominique Ntawuriryayo.

Arusha, 27 April 2007.



Jai Ram Reddy
Confirming Judge

[Seal of the Tribunal]





TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

COURT MANAGEMENT SECTION
(Art. 27 of the Statute for the Registry)

I - GENERAL INFORMATION (To be completed by the Chambers / Filing Party)

To:	<input checked="" type="checkbox"/> Trial Chamber I N. M. Diallo	<input type="checkbox"/> Trial Chamber II R. N. Kouambo	<input type="checkbox"/> Trial Chamber III C. K. Hometowu	<input type="checkbox"/> Appeals Chamber / Arusha F. A. Talon
	<input type="checkbox"/> Chief, CMS J.-P. Fomété	<input type="checkbox"/> Deputy Chief, CMS M. Dlop	<input type="checkbox"/> Chief, JPU, CMS M. Diop	<input type="checkbox"/> Appeals Chamber / The Hague R. Muzigo-Morrison K. K. A. Afande
From:	<input checked="" type="checkbox"/> Chamber I Judge Reddy (names)	<input checked="" type="checkbox"/> Defence (names)	<input type="checkbox"/> Prosecutor's Office (names)	<input type="checkbox"/> Other: (names)
Case Name:	The Prosecutor vs. NTAWUKURIRYAYO		Case Number: ICTR-2005-82-1	
Dates:	Transmitted: 27 APRIL 2007		Document's date: 27 APRIL 2007	
No. of Pages:	2	Original Language:	<input checked="" type="checkbox"/> English <input type="checkbox"/> French <input type="checkbox"/> Kinyarwanda	
Title of Document:	DECISION ON PROSECUTOR'S MOTION TO UNSEAL THE INDICTMENT AND WARRANT OF ARREST			
Classification Level:		TRIM Document Type:		
<input type="checkbox"/> Strictly Confidential / Under Seal		<input type="checkbox"/> Indictment	<input type="checkbox"/> Warrant	<input type="checkbox"/> Correspondence
<input type="checkbox"/> Confidential		<input checked="" type="checkbox"/> Decision	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Notice of Appeal
<input checked="" type="checkbox"/> Public		<input type="checkbox"/> Disclosure	<input type="checkbox"/> Order	<input type="checkbox"/> Appeal Book
		<input type="checkbox"/> Judgement	<input type="checkbox"/> Motion	<input type="checkbox"/> Book of Authorities
		<input type="checkbox"/> Submission from non-parties		
		<input type="checkbox"/> Submission from parties		
		<input type="checkbox"/> Adversely affected particulars		

II - TRANSLATION STATUS ON THE FILING DATE (To be completed by the Chambers / Filing Party)

CMS SHALL take necessary action regarding translation.

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Reference material is provided in annex to facilitate translation.

Target Language(s):

English French Kinyarwanda

CMS SHALL NOT take any action regarding translation.

Filing Party hereby submits **BOTH** the original and the translated version for filing, as follows:

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Translation	in	<input type="checkbox"/> English	<input checked="" type="checkbox"/> French	<input type="checkbox"/> Kinyarwanda

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III - TRANSLATION PRIORITISATION (For Official use ONLY)

<input type="checkbox"/> Top priority	COMMENTS	<input type="checkbox"/> Required date:
<input type="checkbox"/> Urgent		<input type="checkbox"/> Hearing date:
<input type="checkbox"/> Normal		<input type="checkbox"/> Other deadlines: