



ICTR-05-83-1
29-11-2005
(61-60)

International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

61
S. MUSA

TRIAL CHAMBER I

Original: English

Before: Judge Jai Ram Reddy
Registry: Adam Dieng
Date: 29 November 2005

THE PROSECUTOR
v.
JUVÉNAL UWILINGIYIMANA

2005 NOV 29 P 6 541

Case No. ICTR-2005-83-I

DECISION ON PROSECUTOR'S MOTION TO UNSEAL THE
INDICTMENT AND WARRANT OF ARREST

The Office of the Prosecutor:
Mr. Stephen Rapp
Mr. Wallace Kapaya

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

SITTING as Judge Jai Ram Reddy, confirming judge;

BEING SEIZED of the "Prosecutor's Motion to Un-seal the Indictment and Warrant of Arrest", filed on 29 November 2005;

HAVING CONSIDERED the Indictment against Juvénal Uwilingiyimana, filed on 10 June 2005 and confirmed on 13 June 2005, as well as the Warrant of Arrest, issued on 17 August 2005;

HAVING HEARD the Prosecutor in an *ex parte* hearing on 29 November 2005;

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 Juvénal Uwilingiyimana 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.

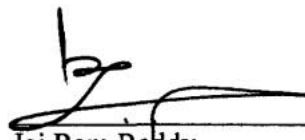
2. The Prosecution has now made an application to have the Indictment and the Warrant of Arrest unsealed on the grounds that the interests of justice are not served by keeping the information from the public.

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 Juvénal Uwilingiyimana.

Arusha, 29 November 2005


Jai Ram Reddy
Confirming Judge

[Seal of the Tribunal]



TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH CMS

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

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

To:	☒ Trial Chamber I N. M. Diallo	☐ Trial Chamber II R. N. Kouambo	☐ Trial Chamber III C. K. Hometowu	☐ Appeals Chamber / Arusha F. A. Talon
	☐ Chief, CMS J.-P. Fomété	☐ Deputy Chief, CMS M. Diop	☐ Chief, JPU, CMS M. Diop	☐ Appeals Chamber / The Hague R. Muzigo-Morrison K. K. A. Afande
From:	☒ Chamber I Judge Reddy (names)	☐ Defence (names)	☐ Prosecutor's Office (names)	☐ Other: (names)
Case Name:	The Prosecutor vs. UWILINGIYIMANA			Case Number: ICTR-2005-83-I
Dates:	Transmitted: 29 November 2005		Document's date: 29 November 2005	
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Classification Level:		TRIM Document Type:		
☐ Strictly Confidential / Under Seal		☐ Indictment ☐ Warrant ☐ Correspondence ☐ Submission from non-parties		
☐ Confidential		☒ Decision ☐ Affidavit ☐ Notice of Appeal ☐ Submission from parties		
☒ Public		☐ Disclosure ☐ Order ☐ Appeal Book ☐ Accused particulars		
		☐ Judgement ☐ Motion ☐ Book of Authorities		

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

CMS SHALL take necessary action regarding translation.

☒ Filing Party hereby submits only the original, and **will not submit** any translated version.

☐ 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:

Original	in	☐ English	☐ French	☐ Kinyarwanda
Translation	in	☒ English	☐ French	☐ Kinyarwanda

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☐ English ☐ French ☐ Kinyarwanda

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III - TRANSLATION PRIORITISATION (For Official use ONLY)

☐ Top priority	COMMENTS	☐ Required date:
☐ Urgent		☐ Hearing date:
☐ Normal		☐ Other deadlines: