



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

IN THE TRIAL CHAMBER 1

Before:

Judge Yakov A. Ostrovsky: Presiding Judge
Judge Lennart Aspegren
Judge Navanethem Pillay

Registrar:

Mr. Frederik Harhoff
Ms. Prisca Nyambe

Decision of: 27 September 1996

The PROSECUTOR
vs
JEAN-PAUL AKAYESU

Case No. ICTR-96-4-T

**DECISION ON THE PRELIMINARY MOTION SUBMITTED BY THE
PROSECUTOR FOR PROTECTIVE MEASURES FOR WITNESSES**

The Office of the Prosecutor:

Judge Honoré Rakotomanana
Mr. Yacob Haile-Mariam
Mr. Mohamed Chande Othman
Mr. Pierre-Richard Prosper

Counsel for the Accused:

Mr. Johan Scheers

THE TRIBUNAL,

SITTING as the Trial Chamber 1 of the International Criminal Tribunal for Rwanda ("the Tribunal"), composed of Judge Yakov A. Ostrovsky as Presiding Judge, Judge Lennart Aspegren and Judge Navanethem Pillay,

CONSIDERING the indictment submitted on 13 February 1996 by the Prosecutor against Jean-Paul Akayesu pursuant to Rule 47 of the Rules of Procedure and Evidence ("the Rules") and confirmed by the Tribunal on 16 February 1996,

BEING SEIZED OF the motion and brief dated 16 August 1996 from the Prosecutor for orders for protective measures for witnesses to crimes alleged in counts 1 through 12 of the indictment,

HAVING HEARD the parties to the hearing of this motion held on 26 September 1996, the accused being present,

CONSIDERING the provisions for protection of victims and witnesses contained in Articles 19 and 21 of the Statute of the Tribunal, and in Rules 69 and 75 of the Rules,

TAKING INTO CONSIDERATION the decision taken by the Tribunal on 26 September 1996 in the matter of the Case No. ICTR-96-3-T,

FOR THESE REASONS

DECIDES to grant the following relief:

- (1) That the names, addresses, whereabouts, and other identifying data concerning the persons given pseudonyms in the indictment and the supporting documents shall not be disclosed to the public or the media.
- (2) That the public and the media shall not photograph, video record or sketch witnesses while entering the Tribunal building, exiting from the Tribunal building, or while they are in the Tribunal building, without leave of the Trial Chamber and parties.
- (3) That the names, addresses, whereabouts, and other identifying data concerning the witnesses referred to in the supporting documents and/or any disclosed witness statements shall be divulged neither to the media, the public, nor the defense until such time that the witnesses are brought under the protection of the Tribunal.
- (4) That the names, addresses, whereabouts, and other identifying information concerning the witnesses shall be sealed and not included in any Tribunal public records.
- (5) To the extent that any names, addresses, whereabouts of, and identifying information concerning the witnesses is contained in existing public records, those names, addresses, whereabouts of, and identifying information concerning the witnesses be expunged from those documents.
- (6) That the pseudonyms given to the witnesses in the indictment and supporting documents shall be used whenever referring to these witnesses in the Tribunal proceedings and discussions among the parties to trial.

(7) That the Prosecutor shall disclose the names and unredacted statements of the witnesses to the defense in sufficient time to allow the defense to prepare for trial, subject to Rule 69.

Arusha, 27 September 1996

Yakov A. Ostrovsky	Lennart Aspegren	Navanethem Pillay
Presiding Judge	Judge	Judge

(Seal of the Tribunal)