

ICTR-96-3-T
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UNITED NATIONS  NATIONS UNIES

International Criminal Tribunal for Rwanda

TRIAL CHAMBER I

OR:ENG

Before: Judge Laity Kama, Presiding Judge
Judge Lennart Aspegren
Judge Navenetham Pillay

Registry: Mr. Antoine Mindua

Decision of: 30 September 1997

THE PROSECUTOR

VERSUS

GEORGES ANDERSON NDERUBUMWE RUTAGANDA

Case No. ICTR-96-3-T

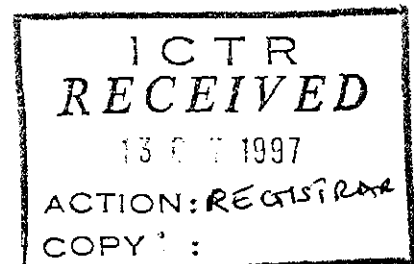
**DECISION ON THE DEFENCE MOTION FOR ORDERS TO
EXPUNGE THE NAMES OF CERTAIN DEFENCE WITNESSES**

The Office of the Prosecutor:

Mr. James Stewart
Mr. Udo Gehring
Ms. Holo Makwaia

The Counsel for the Accused:

Ms. Tiphaine Dickson



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THE INTERNATIONAL CRIMINAL TRIBUNAL for RWANDA (the "TRIBUNAL"),

SITTING AS Trial Chamber I, composed of Judge Laity Kama, Presiding Judge, Judge Lennart Aspegren and Judge Navenetham Pillay;

CONSIDERING the motion filed on 1 September 1997 by the Defence for orders to expunge the names of Defence witnesses contained in the extremely urgent request made by the Defence for a teleconference deposition pursuant to Article 21 of the Statute of the International Criminal Tribunal for Rwanda (the "Statute") and Rules 54, 69 and 75 of the Rules of Procedure and Evidence (the "Rules");

HAVING RECEIVED the Prosecutor's response of 26 September 1997 to the said motion and to the Defence Counsel's earlier motion of 23 May 1997;

HAVING HEARD the parties at the hearing held on 29 September 1997;

AFTER HAVING DELIBERATED:

THE TRIBUNAL is of the opinion that, in view of Article 20(4)(e) of the Statute and mindful of the need to ensure a fair trial to the accused Georges Rutaganda, it is necessary to provide appropriate measures for the protection of the defence witnesses pursuant to Rule 75 of the Rules;

THE TRIBUNAL

DECIDES to order the following measures:


- (1) that the names or other identifying information on the sixteen witnesses contained in the Extremely Urgent Request made by the Defence for a Teleconference Deposition be sealed immediately and that their disclosure to the public, to the media or to anyone else be prohibited;
- (2) that the names of the sixteen witnesses contained in the said Request made by the Defence for a Teleconference Deposition be immediately replaced by pseudonyms corresponding to the letters DA to DP;
- (3) that in cases where the names, addresses, locations and other identifying information about the defence witnesses appear, they shall be expunged from the Tribunal's public records.

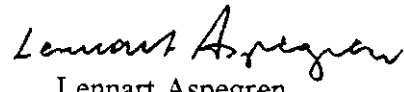


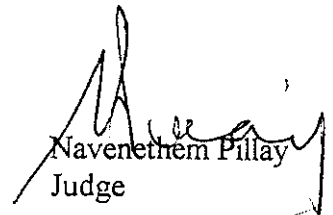
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(4) that these measures take effect immediately.

Arusha, 30 September 1997


Laity Kama
Presiding Judge


Lennart Aspegren
Judge


Navenethem Pillay
Judge

