

IC 9R-05-87-1
20-06-2007
(705-703)



International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

705
S. MUSA

UNITED NATIONS
NATIONS UNIES

ORIGINAL: ENG

Before: Judge Sergei Alekseevich Egorov

Registrar: Mr. Adama Dieng

Date: 20 June 2007

THE PROSECUTOR
v.
Wenceslas MUNYESHYAKA

Case No. ICTR-2005-87-1

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ORDER TO UNSEAL INDICTMENT

Office of the Prosecutor:
Hassan Bubacar Jallow
Bongani Majola
James Stewart
Alex Obote
Wallace Kapaya
George Mugwanya

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA

SITTING as Judge Sergei Alekseevich Egorov, as designated by the President of the Tribunal pursuant to Rule 28 of the Tribunal's Rules of Procedure and Evidence (the "Rules");

BEING SEIZED OF the Prosecutor's Very Urgent and Ex Parte Motion to Rescind the Nondisclosure Order of 22 July 2005 Relating to the Indictment Against the Accused, and the Issuance of a Warrant of Arrest Against the Accused (Rule 52, 54, and 55), filed on 12 June 2007 (the "12 June 2007 Motion");

CONSIDERING the Prosecutor's Motion to Correct Warrant of Arrest and Order to Unseal Indictment, filed on 19 June 2007;

RECALLING the Decision on Confirmation of an Indictment Against Wenceslas Munyeshyaka, filed under seal on 22 July 2005 (the "Decision on Confirmation of the Indictment"), whereby Judge Sergei Alekseevich Egorov confirmed the Indictment against Wenceslas Munyeshyaka and ordered its non-disclosure to the public until further order of the Tribunal;

CONSIDERING that pursuant to Article 19 of the Statute of the Tribunal, hearings should normally be held in public;

CONSIDERING further that that the Prosecution has asked that the nondisclosure order relating to the Indictment be rescinded because of a change of circumstances in which the interests of justice are no longer served by non-disclosure;

DECLARES, in light of the Prosecution's inadvertent referral to the last name of the Accused as "Munyeshaka" in its 12 June 2007 Motion rather than the correct spelling of "Munyeshyaka", that the present Order to Unseal Indictment supersedes the prior Order to Unseal Indictment that was filed on 13 June 2007;

ORDERS that the Indictment against Wenceslas Munyeshyaka, as confirmed on 22 July 2005, now be made public;

ORDERS that the Decision on Confirmation of the Indictment be reclassified as a matter of public record; and

FURTHER ORDERS that the non-disclosure order of 22 July 2005 with respect to any unredacted materials provided to the Confirming Judge and the names of the witnesses and of any other identifying information contained in the supporting materials or related documents be maintained.

Arusha, 20 June 2007



Sergei Alekseevich Egorov

Judge

[Seal of the Tribunal]

