

ICTR-02-78-1  
25-08-2009  
(4012-4011)

4012  
Amem



International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

UNITED NATIONS  
NATIONS UNIES

OR: ENG

TRIAL CHAMBER II

**Before Judges:** Taghrid Hikmet, Presiding  
Seon Ki Park  
Joseph Masanche

**Registrar:** Adama Dieng

**Date:** 25 August 2009

THE PROSECUTOR

v.

Gaspard KANYARUKIGA

*Case No. ICTR-2002-78-I*

INTERIM ORDER

*Rule 54 of the Rules of Procedure and Evidence*

**Office of the Prosecutor:**  
Holo Makwaia  
Althea Alexis-Windsor  
Mara Tidiane  
Lasana Dumbuya

**Defence Counsel:**  
David Jacobs  
Claver Sindayigaya  
Marc Nerenberg

**INTRODUCTION**

1. The trial in this case is scheduled to commence on 31 August 2009.<sup>1</sup>
2. On 25 August 2009, the Defence for Gaspard Kanyarukiga filed an extremely urgent motion for a stay of the proceedings.<sup>2</sup>

**DELIBERATIONS**

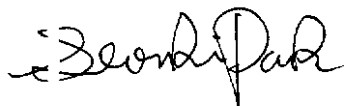
3. Due to the imminent start of the trial in this case, the Chamber hereby:

**ORDERS** the Prosecution to file its response to the Defence motion, if any, by the close of business on Wednesday, 26 August 2009;

**ORDERS** the Defence to file its reply, if any, no later than the close of business on Thursday, 27 August 2009.

Arusha, 25 August 2009

[read and approved by]



Faghriddin Hikmet  
Presiding Judge  
[absent at the time  
of signature]



[read and approved by]



Joseph Masanche  
Judge  
[absent at the time  
of signature]

<sup>1</sup> Prosecutor v Kanyarukiga, Case No ICTR-2002-78-I, Scheduling Order (TC), 7 July 2009.

<sup>2</sup> Extremely Urgent Defence Motion for a Stay of Proceedings Due to the Impossibility of Having a Fair Trial Following the Disappearance of Exculpatory Evidence in the Hands of the Prosecutor, filed on 25 August 2009.

