

ICTR-02-78-T  
(09-10-2009  
5000-4999)

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UNITED NATIONS  
NATIONS UNIES

International Criminal Tribunal for Rwanda  
Tribunal pénal international pour le Rwanda

OR: ENG

**TRIAL CHAMBER II**

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

**Registrar:** Adama Dieng

**Date:** 9 October 2009

**THE PROSECUTOR**

v.

**Gaspard KANYARUKIGA**

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

RECEIVED  
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A 10 07  
*[Signature]*

**DECISION ON THE DEFENCE MOTION FOR RECTIFICATION OF THE  
FRENCH TRANSCRIPT OF 1 SEPTEMBER 2009**

**Office of the Prosecutor:**  
Holo Makwaia  
Althea Alexis Windsor  
Cheikh Tidiane Mara  
Lansana Dumbuya

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

**INTRODUCTION**

- 1. The trial in this case commenced on 31 August 2009. After calling eleven witnesses over fourteen trial days, the Prosecution closed its case on 17 September 2009. The Defence case is scheduled to take place between 18 January and 12 February 2010.<sup>1</sup>
- 2. On 6 October 2009, the Defence filed a motion requesting the Chamber to order that the French Transcript of 1 September 2009 be corrected to reflect what was actually said in English.<sup>2</sup> The Defence submits that on 5 instances during the course of that trial day (page 16 line 34; page 18 line 15; page 19 line 12; page 21 line 27; page 59 line 20) the presiding Judge, in English, upheld a Defence objection, but the phrase has been mistranslated into French as “objection rejetée” (objection rejected) or has been omitted entirely from the French transcript.<sup>3</sup>

**DELIBERATIONS**

- 3. The Chamber notes that on 7 and 8 October 2009 respectively, the Registry’s Language Section filed a *corrigendum*<sup>4</sup>, indicating that the French Transcript of 1 September 2009, at the places identified by the Defence, now reads “objection retenue” (objection sustained) instead of “objection rejetée” (objection rejected).

**FOR THE AFOREMENTIONED REASON, THE CHAMBER THEREFORE**

**DECLARES** the Defence Motion moot.

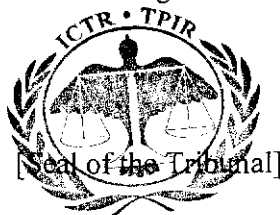
Arusha, 9 October 2009

[read and approved]

Taghrid Hikmet  
Presiding Judge

Seon Ki Park  
Judge

Joseph Masanche  
Judge  
[absent at the time of  
signature]



<sup>1</sup> Scheduling Order following the Status Conference held on 17 September 2009, Order I.  
<sup>2</sup> Motion for Rectification of the French Transcript of 1 September 2009, filed on 6 October 2009.  
<sup>3</sup> Ibid., para 4.  
<sup>4</sup> *Rectificatif, Le Procureur c Kanyarukiga, ICTR-2002-78-1 (sic), Chambre de Première Instance II, Procès-Verbal en français*, filed on 7 and 8 October 2009.