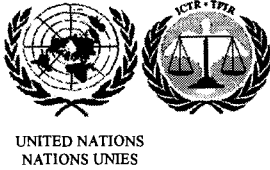


ICTR-02-78-T
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International Criminal Tribunal for Rwanda
Tribunal pénal international pour le Rwanda

OR: ENG

TRIAL CHAMBER II

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

Registrar: Adama Dieng

Date: 16 February 2010

THE PROSECUTOR

v.

Gaspard KANYARUKIGA

Case No. ICTR-2002-78-T

JUDICIAL FILES ARCHIVES
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ORDER EXTRACTING WITNESS TESTIMONY

Office of the Prosecutor:

Holo Makwaia
Althea Alexis Windsor
Cheikh Tidiane Mara
Lansana Dumbuya

Defence Counsel:

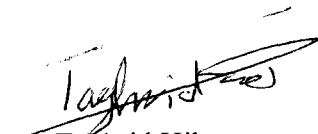
David Jacobs
Claver Sindayigaya
Marc Nerenberg

INTRODUCTION

1. The Trial in this case commenced on 31 August 2009.¹ The Defence case commenced on 18 January 2010.² After calling twenty-three witnesses over fourteen trial days, the Defence rested its case on 11 February 2010.³
2. Defence Witness KG18 testified on 10 February 2010.⁴
3. On 11 February 2010, the Defence made an oral motion, requesting that all of Witness KG18's testimony be placed under seal.⁵ The Defence argued that testimony given by other witnesses during open session could reveal Witness KG18's identity.⁶ The Prosecution opposed the Defence request, arguing that Witness KG18's name had not been mentioned by other witnesses and that those parts of Witness KG18's evidence that could reveal his identity had been heard in closed session.⁷
4. Having considered the Parties' oral submissions, the Chamber hereby:


ORDERS the Registry to extract all testimony given by Witness KG18 in open session and move it to the closed session transcript.

Arusha, 16 February 2010


Taghrid Hikmet
Presiding Judge


Seon Ki Park
Judge


[Seal of the Tribunal]


Joseph Masanche
Judge

¹ T. 31 August 2009, p. 1.

² T. 18 January 2010, p. 1.

³ T. 11 February 2010, p. 20 (draft).

⁴ T. 10 February 2010, pp. 4-75 (draft).

⁵ T. 11 February 2010, p. 22 (draft).

⁶ T. 11 February 2010, p. 22 (draft).

⁷ T. 11 February 2010, p. 25 (draft).