



MINUTES OF PROCEEDINGS PROCES-VERBAL D'AUDIENCE

Rule 35 of the Rules of Procedure and Evidence / Art. 44 of the Directive for the Registry on Court Management
Art. 35 Règlement de Procédure et de Preuve / Art. 44 Directive au Greffe sur l'Administration des Chambres

Case Name: **NSENGIMANA**
Case No: ICTR-01-69-T
Trial Chamber: One
Courtroom: Laity Kama

Before / Devant: Judge Erik Møse, presiding, Judge Sergei Alekseevich Egorov and Judge Florence Rita Arrey.

Specificities / Spécificités: Single.

Prosecution / Poursuite: Wallace Kapaya, Sylver Ntukamazina, Brian Wallace.

Accused / Accusés: Hormisdas Nsengimana.

Defence / La Défense: Emmanuel Altit, David Hooper.

Registry / Greffe: Nouhou M. Diallo; Edward Edwin Matemanga.

Date: Tuesday 26 June 2007

TRIAL DAY 3

1. Remarks/Remarques:

- a. Defence Co-Counsel (Mr. Hooper) continued the cross-examination of Witness CAW (PW2) from 8:50 a.m. to 12:30 p.m. in open session and from 12:30 to 1:10 p.m. in closed session, with an adjournment from 11:00 to 11:30 a.m.
- b. The Prosecution (Mr. Wallace) objected to the use of an extract from an African Rights Report by the Defence Counsel during the cross-examination of Witness CAW on the ground that the later was not the author of the Report and that if once this document had been part of the Pre-Trial Brief, it had been withdrawn from it. Submissions relating to that objection were made in the absence of the witness. (See the ruling of the Chamber at paragraph 2.a.).
- c. Prosecution Counsel (Mr. Kapaya) re-examined Witness CAW from 2:55 to 3:20 p.m.
- d. The bench asked some questions to the Witness and the testimony of Witness CAW was concluded at 3:25 p.m.
- e. Prosecution Counsel (Mr. Kapaya) objected to having excerpts from the African Rights Report used by the Defence during the cross-examination of Witness CAW be admitted as exhibits. (See the ruling of the Chamber at paragraph 2.b.).
- f. Prosecution Witness CBF (PW3) entered the Courtroom and took his solemn declaration.
- g. Prosecution Counsel (Mr. Wallace) examined Witness CBF from 3:30 to 5:00 p.m. in closed session.
- h. The proceedings were adjourned to Wednesday 26 June 2007 at 8:45 a.m.

2. Decisions & Orders rendered orally / Décisions & Ordonnances rendues oralement:

- a. The Chamber denied the Prosecution objection and authorized the use of an African Rights Report by the Defence Counsel for the cross-examination of Prosecution Witness CAW.
- b. The Chamber admitted as exhibit the three pages of an African Rights Report used during the cross-examination of Witness CAW.
- c. Portions of the transcripts to be placed under seal and to be erased from the video system.

3. Witnesses heard / Témoins entendus:

- Prosecution Witness CAW (PW2).
- Prosecution Witness CBF (PW3).

4. Exhibits tendered / Pièces à conviction présentées:

- D.1: Bundle of Photographs. (CAW – PW2).
- D.2: Three pages of an African Rights Report. Under seal. (CAW – PW2).
- P.3: Personal Information Sheet of Witness CBF (PW3). Under seal.

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>
8:50 a.m.	11: 00 a.m.
11:28 a.m.	1:10 p.m.
2:55 p.m.	5:00 p.m.

Signature

Signature

SIGNED

SIGNED

For Judge Erik Møse

Nouhou Madani Diallo
Legal Officer CMS

Presiding Judge

Total time in Court <i>Durée des débats</i>		5 hrs: 57 mns

Karine Ardault
Associate Legal Officer

Coordinator

Date: 26 June 2007

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