



# 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 Ndugulile Kapaya, Sylver Ntukamazina, Iskandar Ismail.

Accused / Accusés: Hormisdas Nsengimana.

Defence / La Défense: Emmanuel Altit, David John Hooper.

Registry / Greffe: Marianne Ben Salimo, Sheha Mussa

Date: Tuesday 15 January 2008.

## TRIAL DAY 8

### 1. Remarks/Remarques:

- a. The Chamber considered some administrative matters and granted the Prosecutor's motion for varying its witness list filed on 6 December 2007; adding that a written decision would follow (See para. 2a).
- b. The Defence (Mr. Hooper) cross-examined Witness CAO (PW7) from 8:56 to 9:24 a.m. in closed session and until 11:57 p.m. in open session with an adjournment from 11:01 to 11:29 a.m. In the meantime the Prosecution (Mr. Kapaya) informed the Chamber that Witness CAY was still sick and not in good condition to testify. He added that Witness CAR would be the next Prosecution Witness to be called. The Defence (Mr. Hooper) stated that he was not ready to cross-examine Witness CAR and he requested enough time between the two testimonies for adequate preparation. The Presiding Judge invited the parties to discuss together the next Prosecution Witness to be called.
- c. The Prosecution (Mr. Kapaya) re-examined Witness CAO from 11:47 a.m. to 12:19 p.m. in open session. The Defence (Mr. Hooper) was allowed to ask Witness CAO additional questions raised from the Prosecution's re-examination. The Bench questioned the witness and then his testimony was concluded.
- d. The Prosecution (Mr. Kapaya) informed the Chamber that the parties had agreed that Witness CAY would be the next witness to be called. It was noted.
- e. Prosecution Witness CAY (PW8) entered the courtroom and made the solemn declaration.
- f. The Prosecution (Mr. Ntukamazina) examined Witness CAY from 12:39 to 12:52 p.m. in closed session and until 1:04 p.m. in open session.
- g. After the lunch break, Witness CAY informed the Chamber that he was not able to continue to testify as he was not feeling well. The Chamber adjourned the testimony of witness CAY until he feels better to testify.
- h. Prosecution Witness CAR (PW9) entered the courtroom and made the solemn declaration.
- i. The Defence requested the Chamber to give it a few minutes to get familiarized with the testimony of Witness CAR. The Chamber granted the Defence request and took its afternoon break from 3:00 to 3:16 p.m.
- j. The Prosecution (Mr. Kapaya) led the examination-in-chief of Witness CAR from 3:17 to 3:22 p.m. in closed session and until 4:52 p.m. in open session.
- k. Then the parties discussed the sequence of the next Prosecution witnesses for the week. The Prosecution (Mr. Kapaya) informed the Chamber that the sequence of the next Witnesses was as follow: Witnesses BVJ, BVX and BVV.
- l. The proceedings were adjourned to Wednesday 16 January 2008 at 8:45 a.m.

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

- a. The Chamber granted the Prosecutor's motion for varying the Prosecution witness list filed on 6 December 2007 and indicated that a written decision would follow.
- b. Portions of the transcripts to be put under seal and to be erased from the video system.
- c. The Chamber adjourned Witness CAY testimony to a later date due to the health of the witness.

**3. Witnesses heard / *Témoins entendus*:**

- Prosecution Witness CAO (PW7).
- Prosecution Witness CAY (PW8).
- Prosecution Witness CAR (PW9)

**4. Exhibits tendered / *Pièces à conviction présentées*:**

- D.9A: Written statement of Prosecution Witness CAO (PW7) dated 14 June 2000, French version. Under seal
- D.9B: Written statement of Prosecution Witness CAO (PW7) dated 14 June 2000, English version. Under seal
- P.9: Personal information sheet of Prosecution Witness CAY (PW8). under seal.
- P.10: Personal information sheet of Prosecution Witness CAR (PW9). Under seal.

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
8:51 a.m.	11:01 a.m.	
11:29 a.m.	1:04 p.m.	
2:54 p.m.	3:00 p.m.	
3:16 p.m.	5:05 p.m.	
Total time in Court <i>Durée des débats</i>		5 hrs 40 mns

Signature

**SIGNED**

For Judge Erik Møse

Presiding Judge

Karine Ardault  
Associate Legal Officer

**Date:** 15 January 2008

Signature

**SIGNED**

Marianne Ben Salimo  
Courtroom Officer

**Date:** 15 January 2008