



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: IV

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

Specificities / Spécificités: Single.

Prosecution / Poursuite: Wallace Ndugulile Kapaya, Sylver Ntukamazina, Brian Christopher Wallace, Iskandar Ismail.

Accused / Accusés: Hormisdas Nsengimana.

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

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga

Date: Wednesday 30 January 2008.

TRIAL DAY 19

1. Remarks/Remarques:

- a. The Prosecution (Mr. Wallace) re-examined Prosecution Witness CBC (PW 16) from 8:52 to 9:17 a.m. in open session and then his testimony was concluded.
- b. Prosecution Witness CAZ (PW 17) entered the courtroom to complete his testimony. The Defence (Mr. Hooper) conducted the cross-examination of Witness CAZ from 9:24 a.m. to 12:18 p.m. in open session with an adjournment from 11:08 to 11:42 a.m. The Prosecution (Mr. Ntukamazina) re-examined the witness from 12:19 to 12:35 p.m. in open session. The Bench questioned Witness CAZ and then his testimony was concluded.
- c. Before the lunch break, the Presiding Judge informed the parties that the next Prosecution Witness should be brought into the courtroom at 2:30 p.m.
- d. Prosecution Witness CAP (PW 18) entered the courtroom and made the solemn declaration.
- e. The Prosecution (Mr. Wallace) examined Witness CAP from 2:34 to 3:29 p.m. in open session and until 3:39 p.m. in closed session.
- f. The Defence (Mr. Hooper) conducted the cross-examination of Prosecution Witness CAP from 3:40 to 3:56 p.m. in closed session and until 4:38 p.m. in open session.
- g. The Prosecution (Mr. Wallace) re-examined the witness from 4:38 to 4:46 p.m. in open session. After some questions by the Bench, the testimony of the witness was concluded.
- h. The parties discussed the sequence of the forthcoming Prosecution witnesses. The Prosecution (Mr. Kapaya) informed the Chamber that Witness BXM could be called the next day. The Prosecution added that Witness CAS was expected to arrive in Arusha during the next week and that it was withdrawing Witness CBB from its witness list. Mr. Kapaya estimated that the examination-in-chief of Witness BXM would take about two hours. The Defence (Mr. Hooper) stated that he was not ready to hear Witness BXM as the Defence did not have the judicial file of the witness. The Chamber agreed with the parties' suggestion to adjourn the proceedings for one week.
- i. The Defence (Mr. Hooper) made an oral application requesting the Chamber for a site visit in Rwanda. The Presiding Judge invited the Defence to put its motion in writing.
- j. The proceedings were adjourned to Thursday 7 February 2008 at 8:45 a.m. in courtroom IV

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

- Portions of the transcripts to be put under seal and erased from the video system.

3. Witnesses heard / Témoins entendus:

- Prosecution Witness CBC (PW 16).
- Prosecution Witness CAZ (PW 17).
- Prosecution Witness CAP (PW 18).

4. Exhibits tendered / Pièces à conviction présentées:

- D.34A: Written statement of Prosecution Witness CAZ (PW 17) dated 30 May 2000. French version. Under seal.
- D.34B: Written statement of Prosecution Witness CAZ (PW 17) dated 30 May 2000. English version. Under seal.

- D.35: Photograph of Christ-Roi Church.
- D.36: Photograph in page 37 showing part of the Nyanza Church.
- P.22: Personal information sheet of the Prosecution Witness CAP (PW18). Under seal
- D.37A: Written statement of Prosecution Witness CAP dated 11 July 2000. French version Under seal
- D.37B: Written statement of Prosecution Witness CAP dated 11 July 2000. English version. Under seal.
- D.38A: Written statement of Prosecution Witness CAP dated 20 June 2006. English version. Under seal
- D.38B: Written statement of Prosecution Witness CAP dated 20 June 2006. French version. Under seal.

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
8:51 a.m.	11:08 a.m.	
11:42 a.m.	12:43 p.m.	
2:33 p.m.	5:15 p.m.	
Total time in Court <i>Durée des débats</i>		6hrs

Signature

SIGNED

For Judge Erik Møse

Presiding Judge

Karine Ardault
Associate Legal Officer

Date: 30 January 2008

Signature

SIGNED

Marianne Ben Salimo
Courtroom Officer

Date: 30 January 2008