



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

Accused / Accusés: Hormisdas Nsengimana.

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

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga

Date: Thursday 7 February 2008.

TRIAL DAY 20

1. Remarks/Remarques:

- a. Prosecution Witness BXM (PW19) entered the courtroom and made the solemn declaration.
- b. The Defence (Mr. Altit) informed the Chamber that it was still waiting for the judicial record of the witness but as not to delay the proceedings it agreed to have the Prosecution do the examination-in-chief and then do the cross-examination of the witness, though reserving the right to have the witness recalled. This was noted by the Chamber.
- c. The Prosecution (Mr. Kapaya) examined Prosecution Witness BXM from 9:04 to 9:08 a.m. in closed session and then until 12:30 p.m. in open session with an adjournment from 10:56 to 11:39 a.m.
- d. The Defence (Mr. Hooper) cross-examined Prosecution Witness BXM from 12:32 to 2:55 p.m. in closed session with an adjournment from 1:03 to 2:48 p.m. and then completed the cross-examination of the witness until 4:26 p.m. in open session. The Prosecution (Mr. Kapaya) re-examined Witness BXM from 4:27 to 4:33 p.m. in open session and then his testimony was concluded after some questions by the Bench.
- e. The parties discussed the sequence of the remaining Prosecution witnesses. The Prosecution (Mr. Kapaya) informed the Chamber that Witness BXM was the last Prosecution witness. He stated that Witness CBB was dropped from the witness list and that he was not sure whether Witness CAS was able to come to testify at all. The Presiding Judge pointed out that the Chamber would not be available the next week as it was sitting in another case. The Prosecution (Mr. Kapaya) so informed the Chamber that the Prosecution was closing its case.
- f. The Chamber mentioned some administrative matters and the planning of the Defence case. The Presiding Judge indicated that the Defence case was scheduled to be heard from 2 June 2008 to 11 July 2008.
- g. The Defence (Mr. Hooper) also mentioned it needed more time in order to file a motion of acquittal pursuant to Rule 98bis of the Rules of Procedure and Evidence if the Defence was choosing to file such a motion. The request was granted.
- h. The proceedings were adjourned to Monday 2 June 2008 at 8:45 a.m. for the beginning of the Defence case.

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

- a. The Chamber granted the request from the Defence to be given two weeks in order to file a motion of acquittal pursuant to Rule 98bis of the Rules if the Defence decided to file such a motion.

3. Witnesses heard / Témoins entendus:

- Prosecution Witness BXM (PW19).

4. Exhibits tendered / Pièces à conviction présentées:

- P.23: Personal information sheet of Prosecution Witness BXM (PW19). Under seal.
- D.39A: Written statement of the Prosecution Witness BXM dated 14 November 2007. English version. Under seal.
- D.39B: Written statement of the Prosecution Witness BXM dated 14 November 2007. French version. Under seal.

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
8:50 a.m.	10:56 a.m.	
11:39 a.m.	12:00 p.m.	
2:00 p.m.	5:00 p.m.	
Total time in Court <i>Durée des débats</i>		5 hrs 27 mns

Signature

Signature

SIGNED

SIGNED

For Judge Erik Møse

Marianne Ben Salimo
Courtroom Officer

Presiding Judge

Karine Ardault
Associate Legal Officer

Date: 7 February 2008

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