



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, Judge Florence Rita Arrey

Specificities / Spécificités: Single.

Prosecution / Poursuite: Wallace Ndugulile Kapaya, Charity Kagwi, Sylver Ntukamazina, Brian Christopher Wallace, Iskandar Ismail, Béatrice Chapaux.

Accused / Accusés: Hormisdas Nsengimana.

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

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga

Date: Monday 2 June 2008.

TRIAL DAY 21

I. Remarks/Remarques:

- a. The Chamber noted that the beginning of the proceedings had been delayed due to a technical problem.
- b. The Defence (Mr. Altit) presented its opening statement from 9:13 to 9:49 a.m.
- c. Defence Witness EMR-33 (DW1) entered the courtroom and made the solemn declaration.
- d. The Defence (Mr. Altit) examined Witness EMR-33 (DW1) from 9:55 to 10:35 a.m. in closed session and until 12:00 p.m. in open session with an adjournment from 11:04 to 11:30 a.m. Before the morning break, the Presiding Judge informed the parties that in the afternoon, the proceedings would resume at 3:00 p.m. due to the events held in Arusha that day.
- e. The Prosecution (Mr. Wallace) cross-examined Defence Witness EMR-33 (DW1) from 12:01 to 4:09 p.m. with an adjournment from 1:03 to 3:03 p.m.
- f. The Defence (Mr. Altit) re-examined the witness up to 4:50 p.m. The Bench questioned Defence Witness EMR-33 and his testimony was then concluded. His request to meet with the Accused was referred to the Registry (WVSS) for arrangement,
- g. Then the Defence (Mr. Altit) informed the Chamber that the next Defence witness would be Witness AMC-1. He estimated that the examination-in-chief of the witness would take two hours and a half and the Prosecution (Mr. Ntukamazina) stated that it would need less than two hours for the cross-examination. Mr. Altit added that there were no other witnesses in Arusha for the remainder of the week.
- h. The Defence (Mr. Altit) made an oral application and requested the Chamber to extend for one week the time limit to respond to the Prosecutor's confidential application for leave to file contempt of the Tribunal proceedings against three people filed on 26 May 2008. The Chamber granted the Defence request (See decision at Paragraph 2 (b) below).
- i. As the Chamber indicated there would be a status conference after the testimony of Witness AMC-1, Mr. Altit requested that some issues relating to its motion for testimony of 4 defence witnesses by video link filed on 22 May 2008 (*Requête de la Défense aux fins d'autoriser des témoins à décharge à déposer par voie de vidéoconférence*) be discussed on that occasion. The Chamber took note and informed the parties that it would soon render its decision on this Motion.
- j. The proceedings were adjourned to Tuesday 3 June 2008 at 8:45 a.m. for the continuation of the trial when the Defence (Mr. Altit) would examine Defence Witness AMC-1(DW2).

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

- a. Confidential material to be removed from the transcripts, placed under seal and erased from the video system so as to protect the identity of Defence Witness EMR-33 (DW1)
- b. The Chamber rendered an oral decision on the Defence oral request for extension of time for filing its response on the Prosecutor's confidential application for leave to file contempt of the Tribunal proceedings against three people filed on 26 May 2008 and granted an extension of time of seven days

3. Witnesses heard / *Témoins entendus*:

- Defence Witness: EMR-33 (DW1).

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

- P.24: Written statement of Defence Witness EMR-33 (DW1) dated 28 September 2004 (under seal).

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
9:08 a.m.	11:04 a.m.	
11:39 a.m.	1:01 p.m.	
3:03 p.m.	5:05 p.m.	
Total time in Court <i>Durée des débats</i>		5hrs 21 mns

Signature

Signature

For Judge Erik Møse

Presiding Judge

Karine Ardault
Associate Legal Officer

Marianne Ben Salimo
Courtroom Officer

Date: 2 June 2008

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