



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, Béatrice Chapaux, Iskandar Ismail

Accused / Accusés: Hormisdas Nsengimana

Defence / La Défense: Emmanuel Altit, David John Hooper

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga

Date: Thursday 5 June 2008.

TRIAL DAY 23

1. **Remarks/Remarques:**

- a. Defence Witness PMR31 (DW3) entered the courtroom and made the solemn declaration.
- b. The Defence (Mr. Altit) examined Defence Witness PMR31 from 9:35 to 9:53 a.m. in closed session and then until 10:23 a.m. in open session.
- c. The Prosecution (Mr. Ntukamazina) conducted the cross-examination of Defence Witness PMR31 from 10:25 to 10:37 a.m. in closed session and continued until 11:08 a.m. in open session. The Defence (Mr. Altit) declined to re-examine the witness. After some questions by the Bench, the testimony of the witness was concluded. His request to meet with the Accused was referred to the Registry (WVSS) for arrangement.
- d. The Defence (Mr. Altit) requested the Chamber that Defence Witness PMR31 be also permitted to visit the Accused at UNDF that afternoon. The Chamber invited the Defence to address this matter to the Commandant of the UNDF and to WVSS.
- e. Then the Parties discussed the status of the Defence witnesses for the upcoming week. The Defence (Mr. Altit) informed the Chamber that the situation was the same and that Witness PMR31 was the last witness for this week. He stated that he intended to withdraw some witnesses from the Defence witnesses list. The Prosecution (Mr. Kapaya) asked the Defence to indicate the sequence of Defence witnesses namely Witnesses GMF2, EMRF1, and EMI2 for next week. The Defence (Mr. Altit) informed the Chamber that the sequence of those Defence witnesses would be changed depending of their availability but he promised to inform in time and by e-mail the Chamber and the Prosecution. The Presiding Judge invited the Defence to communicate 21 days in advance the report of the witness that it proposed to call as an expert. The Presiding Judge also requested the Defence to indicate if it intended to call the Accused as a witness. The Defence (Mr. Altit) responded that it was too early to take position on the matter.
- f. In the absence of further Defence witnesses, the proceedings were adjourned until Monday 9 June 2008 at 8:45 a.m.

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

- None.

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

- Defence Witness PMR31 (DW3).

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

- D.42: Personal information sheet of Defence Witness PMR31 (DW3) (under seal).
- P.28: Written statement of Defence Witness PMR31 (DW3) dated 23 September 2004 (under seal).

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
9:33 a.m.	11:23 a.m.	
xxx	xxx	
xxx	xxx	
Total time in Court <i>Durée des débats</i>		1hr 50 mns

Signature

Signature

SIGNED

SIGNED

For Judge Erik Møse

Marianne Ben Salimo
Courtroom Officer

Presiding Judge

Karine Ardault
Associate Legal Officer

Date: 5 June 2008

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