



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 Ndungu (Absent), Sylver Ntukamazina, Brian Christopher Wallace, Béatrice Chapaux, Iskandar Ismail (Absent)

Accused / Accusés: Hormisdas Nsengimana.

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

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga

Date: Friday 13 June 2008.

TRIAL DAY 28

1. Remarks/*Remarques*:

- a. The Presiding Judge noted that the proceedings had been delayed due to a technical problem.
- b. Defence Witness EMR95 (DW7) entered the courtroom and made the solemn declaration.
- c. The Defence (Mr. Altit) examined Defence Witness EMR95 from 9:01 to 9:16 a.m. in closed session and then until 10:12 a.m. in open session
- d. The Prosecution (Mr. Ntukamazina) cross-examined Defence Witness EMR95 from 10:13 to 10:35 a.m. in closed session and until 10:54 a.m. in open session. The Defence (Mr. Altit) declined to re-examine the witness. His testimony was concluded after some questions by the Bench. The Presiding Judge indicated to the witness that if he wished to meet with the Accused he had to refer his request to the Registry (WVSS) for arrangement.
- e. The parties discussed the status of the Defence witnesses to be called for the coming weeks. The Defence (Mr. Altit) informed the Chamber that Witnesses GMC4 and MMU6 were expected to arrive in Arusha on Sunday 15 or Monday 16 June 2008 and that they would be ready to testify on Wednesday 18 June 2008. He indicated that detained witness FMR92 would be also available the following week and he promised to do the best to speed up his transfer.
- f. The Chamber, after the Prosecution (Mr. Kapaya) indicated it did not oppose the Motion, rendered its oral decision on the Defence motion to add one witness to its initial witness list (See the Chamber's decision at Paragraph 2 (b) below).
- g. The Presiding Judge informed the parties that on Monday 16 and Tuesday 17 June 2008, the Chamber would sit in courtroom Laity Kama to hear the testimony of Defence witnesses VWB17, FMCD5 and IMR5 by video link from The Hague and that the proceedings would resume at 10.00 a.m. Arusha time.

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

- a. Confidential material to be extracted from the transcripts put under seal and erased from the video system.
- b. The Chamber granted the Defence motion filed on 11 June 2008. « Requête de la Défense aux fins d'être autorisée à ajouter un témoin à sa liste initiale en vertu de l'article 73 ter du Règlement de Procédure et de Preuve » with written reasons to be issued later.

3. Witnesses heard / *Témoins entendus*:

- Defence Witness: EMR95 (DW7).

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

- D.48: Personal information sheet of Defence Witness EMR95 (under seal).

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>
8:56 a.m.	11:05 a.m.
11:07 a.m.	11:16 a.m.

Signature

Signature

SIGNED

SIGNED

For Judge Erik Møse

Marianne Ben Salimo
Courtroom Officer

Presiding Judge

CMS TC-1 1

Total time in Court <i>Durée des débats</i>		2hrs 18 mns

Karine Ardault
Associate Legal Officer

Date: 13 June 2008

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