



# 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, 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, Patrice Tchidimbo, Edward Edwin Matemanga.

Date: Monday 16 June 2008.

## TRIAL DAY 29

### 1. **Remarks/Remarques:**

- a. The Presiding Judge noted that the proceedings had been delayed because of a technical problem with the video-link connection.
- b. Defence Witness VMB17 (DW8) entered the room in The Hague and made the solemn declaration.
- c. The Defence (Mr. Hooper) examined Defence Witness VMB17 from 10:37 to 10:51 a.m. in closed session and then until 11:24 a.m. in open session.
- d. The Prosecution (Mr. Wallace) cross-examined Defence Witness VMB17 from 11:25 a.m. to 11:32 a.m. in open session. The Defence (Mr. Hooper) did not re-examine the witness. The testimony of Witness VMB17 was then concluded after questions by the Bench.
- e. Defence (Mr. Hooper) estimated that the duration of the examination-in-chief of the next Defence witness would be the same as for the Witness VMB17. He added that Defence Witness IMR5, the third witness to be heard by video link, had not yet arrived in The Hague and that the Defence needed time to prepare his testimony. The Defence so suggested that the witness could be called to testify on the following morning. It was noted. The Defence (Mr. Altit) also stated that the preparation of Witness JMR1 was not yet completed. The Presiding Judge informed the parties that Defence Witness JMR1 would be heard in Arusha the following day at 8:45 a.m. The Representative of the Registry in The Hague (Mr. Tchidimbo) informed the Chamber that he would need around fifteen minutes to bring the next Defence Witness, Witness FMCD5, in the video-link room. The Chamber so took its morning break so that the video link testimony could be set up.
- f. Defence Witness FMCD5 (DW9) entered the room in The Hague and made the solemn declaration.
- g. The Defence (Mr. Hooper) examined Witness FMCD5 from 12:07 to 12:41 p.m. in closed session and until 3:13 p.m. in open session with an adjournment from 1:03 to 2:57 p.m. The Prosecution (Mr. Wallace) did not cross-examine Witness FMCD5. The Bench questioned Witness FMCD5 and then his testimony was concluded.
- h. The Defence (Messrs. Altit and Hooper) informed the Chamber that the third Defence Witness had arrived in The Hague and was ready to testify.
- i. Defence Witness IMR5 (DW10) entered the room in The Hague and made the solemn declaration.
- j. The Defence (Mr. Hooper) conducted the examination-in-chief of Witness IMR5 from 3:24 to 4:00 p.m. in closed session. The Prosecution (Mr. Wallace) cross-examined the witness from 4:00 to 4:18 p.m. in closed session and then the Defence (Mr. Hooper) re-examined Witness IMR5 until 4:30 p.m. in open session. The Prosecution (Mr. Wallace) raised an objection on the admissibility as an exhibit of a book tendered by the Defence and used during the testimony of Witness IMR5. The Chamber indicated that it was reserving its position on the matter until it could look at the document. The Bench questioned the witness and his testimony was then concluded.
- k. The Defence (Mr. Altit) informed the Chamber that the next witness, Defence Witness JMR1, was in the waiting room but that he was not yet ready to testify. He added that witnesses GMC4 and MMU6 were expected to arrive in Arusha at night and would be ready to testify on Wednesday 18 June 2008.
- l. In the absence of further Defence witnesses, the proceedings were adjourned to Tuesday 17 June 2008 at 8:45 a.m. in courtroom Laity Kama for the testimony of Defence Witness JMR1.

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

- Confidential material to be extracted from the transcripts, put under seal and erased from the video system.

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

- Defence Witness VMB17 (DW8).
- Defence Witness FMCD5 (DW9).
- Defence Witness IMR5 (DW10).

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

- D.49: Personal information sheet of Defence Witness VMB17 (DW8). Under seal.
- D.50: Personal information sheet of Defence Witness FMCD5 (DW9) Under seal
- D.51: Personal information sheet of Defence Witness IMR5 (DW10) under seal.

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
10:35 a.m.	11:35 a.m.	
12:02 p.m.	1:08 p.m.	
2:57 p.m.	4:48 p.m.	
Total time in Court <i>Durée des débats</i>		3 hrs 57 mns

Signature

**SIGNED**

For Judge Erik Møse

Presiding Judge

Karine Ardault  
Associate Legal Officer

**Date: 16 June 2008**

Signature

**SIGNED**

Marianne Ben Salimo  
Courtroom Officer

**Date: 16 June 2008**