



# 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 (Absent), Charity Kagwi Ndungu, Sylver Ntukamazina, Brian Christopher Wallace (Absent), Béatrice Chapaux, Iskandar Ismail.

Accused / Accusés: Hormisdas Nsengimana.

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

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga.

Date: Friday 20 June 2008.

## TRIAL DAY 31

### 1. Remarks/*Remarques*:

- a. Defence Witness FMR92 (DW12) entered the courtroom and made the solemn declaration.
- b. The Defence (Mr. Altit) examined Defence Witness FMR92 from 8:57 to 10:14 a.m. in closed session and then until 10:15 a.m. in open session.
- c. The Prosecution (Mr. Ntukamazina) cross-examined Defence Witness FMR92 from 10:17 to 10:42 a.m. in closed session. The Defence (Mr. Altit) declined to re-examine the witness and after a few questions by the Bench, his testimony was concluded. 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.
- d. Then the Chamber considered some pending issues. The Defence (Mr. Altit) informed the Chamber that as Witness RFCD6 was not authorised to travel out of his State of residence, it was requesting that the venue of the video-link testimony of the witness be changed to Canada. The Prosecution (Mr. Ntukamazina) did not object and the Chamber granted the Defence request. (See the Chamber's decision at Paragraph 2 (a) below).
- e. After the Prosecution (Mr. Ntukamazina) indicated that he did not oppose; the Chamber granted the Defence motion to add a new witness, Witness FMM1, to its witness list (See the Chamber's decision at Paragraph 2 (b) below).
- f. The parties also discussed the status of the Defence witnesses for next week. The Defence (Mr. Altit) informed the Chamber that following the last information it had received, Witness DFR85 was expected to arrive in Arusha on 26 June 2008 in the afternoon and would be ready to testify on Friday 27 June 2008. He estimated that the examination-in-chief of the witness would take around two hours. He also indicated that the Witness had to leave Arusha on Monday 30 June 2008. The Presiding Judge noted that the Chamber could not sit full day on Fridays and suggested that the testimony of Witness RFCD6 could continue on Monday morning if necessary.
- e. In the absence of further defence witnesses, the proceedings were adjourned until a witness was available.

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

- a. The Chamber granted the Defence request to have Defence Witness RFCD6 testify by video-link from Canada instead of the Netherlands.
- b. The Chamber granted the Defence Motion filed on 19 June 2008 to present an additional witness and to vary its witness list. (*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 Preuves*).

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

- Defence Witness FMR92 (DW12).

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

- D.53: Personal information sheet of Defence Witness FMR92 (under seal).
- D.54 (A and B): Handwritten document in Kinyarwanda and French versions of the written statement of Defence Witness FMR92 dated 26 April 2002 (under seal).

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
8:56 a.m.	11:08 a.m.	
xxx	xxx	
xxx	xxx	
Total time in Court <i>Durée des débats</i>		2hrs 12mns

Signature

Signature

**SIGNED**

**SIGNED**

For Judge Erik Møse

Marianne Ben Salimo  
Courtroom Officer

Presiding Judge

Karine Ardault  
Associate Legal Officer

**Date:** .20 June 2008

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