



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: IV

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 (absent), Brian Christopher Wallace, Béatrice Chapaux, Iskandar Ismail, Jane Mukangira

Accused / Accusés: Hormisdas Nsengimana.

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

Registry / Greffe: Marianne Ben Salimo, Edward Edwin Matemanga

Date: Thursday 10 July 2008.

TRIAL DAY 39

1. Remarks/Remarques:

- a. At the beginning of the proceedings, the Prosecutor (Mr. Wallace) indicated that he preferred to proceed with Defence witnesses VMF8 and GMC4 and then return to the cross-examination of Father Nsengimana (DW18) without interruption. The Defence (Mr. Altit) indicated that Defence Witnesses GMC4 and VMF8 were scheduled to take their flight home that evening. He so requested the Chamber to interrupt the testimony of Defence Witness Nsengimana in order to hear Witnesses GMC4 and VMF8. The Chamber agreed to this proposal.
- b. Defence Witness VMF8 (DW20) entered the courtroom and made the solemn declaration.
- c. The Defence (Mr. Altit) examined Defence Witness VMF8 from 9:02 to 9:14 a.m. in closed session and then until 10:09 a.m. in open session. The Prosecution (Mr. Wallace) cross-examined the witness from 10:09 to 10:54 a.m. The Defence (Mr. Altit) briefly re-examined the witness. The Bench questioned the witness and his testimony was then concluded. The Presiding Judge referred the witness to WVSS if he wanted to meet with the Accused.
- d. Defence Witness GMC4 (DW21) entered the courtroom and made the solemn declaration.
- e. The Defence (Mr. Altit) examined Witness GMC4 from 11:41 to 11:46 a.m. in closed session and then until 12:20 p.m. in open session. The Prosecution (Ms. Mukangira) cross-examined the witness from 12:23 to 12:56 p.m. in open session. The Defence (Mr. Altit) declined to re-examine Witness GMC4 and thereby his testimony was concluded. The Presiding Judge referred the witness to WVSS if he wanted to meet with the Accused.
- f. Defence Witness Hormidas Nsengimana (DW18) took the stand to continue his cross-examination. The Prosecution (Mr. Wallace) continued the cross-examination of Defence Witness Hormidas Nsengimana from 2:47 to 5:27 p.m. in open session with an adjournment from 5:00 to 5:02 p.m.
- g. The Presiding Judge asked the Defence and the Prosecution to estimate the time needed for the next witnesses. It was indicated that the Defence's examination and the Prosecution's cross-examination of Witness JMM1 would need less than two hours and that for Expert Witness Karera about one hour and half would be needed. The Defence (Mr. Altit) informed the Chamber that the expert witness had a problem with his travel documents and that he may not be able to travel to Arusha. Based on this information the Presiding Judge informed the parties that the proceedings would be extended about twenty minutes to enable the Prosecution's cross-examination to continue then the Chamber took a few minutes break from 5:00 to 5:02 p.m.
- h. The proceedings were adjourned to Friday 11 July 2008, 8:45 a.m.

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

- Portions of the transcripts to be put under seal and erased from the video system.

3. Witnesses heard / Témoins entendus:

- Defence Witness VMF8 (DW20)
- Defence Witness GMC4 (DW21)
- Defence Witness Hormidas Nsengimana (DW18)

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

- D 67: Personal information sheet of Defence Witness VMF8 (under seal)
- D 68: Personal information sheet of Defence Witness GMC4 (under seal)

Opening <i>Ouverture</i>	Adjournment <i>Suspension</i>	
8:52 a.m.	11:07 a.m.	
11:39 a.m.	12:56 p.m.	
2:47 p.m.	5:00 p.m.	
5:02 p.m.	5:27 p.m.	
Total time in Court <i>Durée des débats</i>		6hrs 10 mns

Signature

SIGNED

For Judge Erik Møse

Presiding Judge

Karine Ardault
Associate Legal Officer

Date: 10 July 2008

Signature

SIGNED

Marianne Ben Salimo
Courtroom Officer

Date: 10 July 2008