



# 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: **NDINDILIYIMANA ET AL.**

Case No: ICTR-00-56-T

Trial Chamber: Two

Before / Devant: **Judge Joseph Asoka de Silva (Presiding)**, Judge Taghrid Hikmet, Judge Seon Ki Park.

Specificities / Spécificités: Joinder.

Prosecution / Poursuite: C. Aly Bâ, I. Ojemeni Okali, A. Van (absent), M. Sefon, S. Jegede, A. Tambahou, F. Rekkas (Case Manager) (absent), A. Bodley (Case Manager), N. Fomete (Legal intern) (absent).

Accused / Accusés: A. Bizimungu, A. Ndindiliyimana, F-X- Nzuwonemeye, I. Sagahutu.

Defence / La Défense: C. Black, T. Dickson (absent), C. Chun (Assist.) (absent), C. Sindayigaya (Asst.) G. St-Laurent, R. MacDonald, N. Leblanc (Asst.), R. Houzel (Asst.) (absent), D. Girard, F. Reche (Asst.) (absent), C. Colson (Asst.), F. Segatwa, S. Doumbia M. Sahinkuye (Asst.).

Registry / Greffe: R. N. Kouambo; A. Koshopa.

Date: Tuesday, 14 June 2005.

## TRIAL DAY 79

### 1. Remarks / Remarques

- a. At the commencement of the session, Defence Counsel (Mr. Black) produced the entire transcripts of the testimony of Witnesses DH 90 and DH 91 in the Bagosora et al. case as exhibits used during the cross-examination of Witness WG in this case.
- b. Prosecution Counsel (Mr. Bâ) informed the Chamber that witnesses against the accused Nzuwonemeye would be on the stand very soon. For that reason, he said he would like to know from the Registry the status of the appointment of Nzuwonemeye's new lead counsel. The representative of the Registry (Mr. Kouambo) informed the Chamber that Mr. Nzuwonemeye had already chosen three names on the list provided to him by the Registry. He said the procedure was ongoing and the new lead counsel would be appointed very soon.
- c. Defence Counsel (Mr. St-Laurent) continued and concluded the cross-examination of witness AOE (PW 25) in open session.
- d. For the purposes of the record, the Chamber informed the parties that the court adjourned yesterday in closed session and resumed this morning in open session.
- e. Prosecution Counsel (Ms. Okali) commenced and concluded the re-examination of witness AOE (PW 25) in open session.
- f. Defence Counsel (Mr. Black) informed the Chamber that he would object to the testimony of Witness GLJ (PW 26) on events that occurred before 1994. Prosecution Counsel (Mr. Jegede) informed the Chamber that he would not respond to this objection. The Chamber reminded the parties that there was a ruling on this matter.
- g. Prosecution Counsel (Mr. Jegede) commenced the examination-in-chief of witness GLJ (PW 26) in closed session and continued in open session.
- h. Defence Counsel (Mr. Black) objected to GLJ's testimony about events that occurred before 1994. Prosecution Counsel (Mr. Jegede) informed the Chamber that the idea was to prove Conspiracy to commit Genocide raised in paragraph 23 of the Amended Indictment and in the statements made by the witness. Defence Counsel (Mr. Black) informed the Chamber that the Prosecution should not be allowed to argue on Conspiracy to commit Genocide. Prosecution Counsel (Mr. Bâ) stated that the Prosecution was still presenting its case and the Chamber should give it the chance to do so. Defence Counsels (Mr. St-Laurent and Mr. Segatwa) supported the objection raised by Mr. Black. (See the ruling of the Chamber at paragraph 2.a.)
- i. The session was adjourned to Wednesday, 15 June 2005 at 9:00 a.m. for the continuation of the trial when Prosecution Counsel (Mr. Jegede) will continue the examination-in-chief of Witness GLJ (PW 26).

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

a- The Chamber reminded the Parties of its earlier ruling where it allowed a witness to testify on events that occurred before 1994 only if such events are supported by the facts in 1994. The Chamber overruled the objection made by the Defence on the ground that the Prosecution should be in a position to prosecute the case.

### 3. Witnesses heard / Témoins entendus

Prosecution Witness: AOE (PW 25), GLJ (PW 26).

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

- Entire transcripts of Witness DH 90 and DH 91 in the Bagosora et al. case. 25, 26, 28 and 29 April 2005. D.50 (Sealed).

- Protected Information Sheet of Witness GLJ – P.42 (Sealed).

Opening Ouverture	Adjournment Suspension
----------------------	---------------------------

Signature

Signature

9: 05 a. m.	10: 40 a. m.
11: 25 a. m.	13: 00 a.m.
xx	xx
Total time in Court Durée des débats	3hrs 00 mins

**[SIGNED]**

For Judge Asoka de Silva  
 Presiding Judge  
 Alhagi Marong  
 Legal Officer, Chambers

**Date:** 14 June 2005

**[SIGNED]**

Roger Kouambo  
 Courtroom Officer a. i.

**Date:** 14 June 2005